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Report of the Human Rights Council

Twenty-eighth session (2-27 March 2015)

Twenty-third special session (1 April 2015)

Twenty-ninth session (15 June-3 July 2015)

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[9 September 2015]

Contents

Page

Checklist of resolutions, decisions and President's statements 4

I. Introduction 10

II. Resolutions brought to the attention of the General Assembly for its consideration and possible action 11

III. Twenty-eighth session 30

A. Resolutions 30

B. Decisions 138

C. President's statements 144

IV. Twenty-third special session 149

V. Twenty-ninth session 152

A. Resolutions 152

B. Decisions 222

C. President's statement 228

Index of topics considered by the Human Rights Council in its resolutions, decisions and the President's statements 230

Checklist of resolutions, decisions and President's statements

A. Resolutions

Resolution	*Title*	*Date of adoption*	*Page*
28/1	Composition of staff of the Office of the United Nations High Commissioner for Human Rights	26 March 2015	11
28/2	Enhancement of international cooperation in the field of human rights	26 March 2015	30
28/3	Ensuring use of remotely piloted aircraft or armed drones in counter-terrorism and military operations in accordance with international law, including international human rights and humanitarian law	26 March 2015	34
28/4	The right of persons with disabilities to live independently and be included in the community on an equal basis with others	26 March 2015	35
28/5	The negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights, and the importance of improving international cooperation	26 March 2015	38
28/6	Independent Expert on the enjoyment of human rights by persons with albinism	26 March 2015	45
28/7	Renewal of the mandate of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies	26 March 2015	48
28/8	The effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights	26 March 2015	49
28/9	Mandate of the Special Rapporteur in the field of cultural rights	26 March 2015	54
28/10	The right to food	26 March 2015	56
28/11	Human rights and the environment	26 March 2015	64
28/12	Question of the realization in all countries of economic, social and cultural rights	26 March 2015	67
28/13	Birth registration and the right of everyone to recognition everywhere as a person before the law	26 March 2015	70
28/14	Human rights, democracy and the rule of law	26 March 2015	72
28/15	The right to work	26 March 2015	74

Resolution	*Title*	*Date of adoption*	*Page*
28/16	The right to privacy in the digital age	26 March 2015	77
28/17	Effects of terrorism on the enjoyment of human rights	26 March 2015	80
28/18	Freedom of religion or belief	27 March 2015	83
28/19	Rights of the child: towards better investment in the rights of the child	27 March 2015	87
28/20	The continuing grave deterioration in the human rights and humanitarian situation in the Syrian Arab Republic	27 March 2015	13
28/21	Situation of human rights in the Islamic Republic of Iran	27 March 2015	97
28/22	Situation of human rights in the Democratic People's Republic of Korea	27 March 2015	98
28/23	Situation of human rights in Myanmar	27 March 2015	103
28/24	Human rights in the occupied Syrian Golan	27 March 2015	107
28/25	Right of the Palestinian people to self-determination	27 March 2015	109
28/26	Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan	27 March 2015	111
28/27	Human rights situation in the Occupied Palestinian Territory, including East Jerusalem	27 March 2015	117
28/28	Contribution of the Human Rights Council to the special session of the General Assembly on the world drug problem of 2016	27 March 2015	17
28/29	Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief	27 March 2015	124
28/30	Technical assistance and capacity-building to improve human rights in Libya	27 March 2015	128
28/31	Technical assistance and capacity-building for Mali in the field of human rights	27 March 2015	132
28/32	Technical assistance and capacity-building in strengthening human rights in Iraq in the light of the abuses committed by Daesh and associated terrorist groups	27 March 2015	134
28/33	Strengthening of technical cooperation and consultative services in Guinea	27 March 2015	135
28/34	Prevention of genocide	27 March 2015	20
S-23/1	Atrocities committed by the terrorist group Boko Haram and its effects on human rights in the affected States	1 April 2015	149
29/1	Fiftieth anniversary of the adoption and fortieth anniversary of the entry into force of the International Covenants on Human Rights	2 July 2015	25

Resolution	*Title*	*Date of adoption*	*Page*
29/2	Protection of the human rights of migrants: migrants in transit	2 July 2015	152
29/3	Human rights and international solidarity	2 July 2015	156
29/4	Elimination of discrimination against women	2 July 2015	159
29/5	Elimination of discrimination against persons affected by leprosy and their family members	2 July 2015	163
29/6	Independence and impartiality of the judiciary, jurors and assessors, and the independence of lawyers	2 July 2015	164
29/7	The right to education	2 July 2015	168
29/8	Strengthening efforts to prevent and eliminate child, early and forced marriage	2 July 2015	172
29/9	Protection of human rights and fundamental freedoms while countering terrorism	2 July 2015	177
29/10	Human rights and the regulation of civilian acquisition, possession and use of firearms	2 July 2015	180
29/11	The negative impact of corruption on the enjoyment of human rights	2 July 2015	182
29/12	Unaccompanied migrant children and adolescents and human rights	2 July 2015	184
29/13	Mission by the Office of the United Nations High Commissioner for Human Rights to improve human rights, accountability, reconciliation and capacity in South Sudan	2 July 2015	186
29/14	Accelerating efforts to eliminate all forms of violence against women: eliminating domestic violence	2 July 2015	190
29/15	Human rights and climate change	2 July 2015	196
29/16	The grave and deteriorating human rights and humanitarian situation in the Syrian Arab Republic	2 July 2015	198
29/17	Situation of human rights in Belarus	2 July 2015	201
29/18	Situation of human rights in Eritrea	2 July 2015	203
29/19	The Social Forum	2 July 2015	207
29/20	The incompatibility between democracy and racism	2 July 2015	209
29/21	Situation of human rights of Rohingya Muslims and other minorities in Myanmar	3 July 2015	211
29/22	Protection of the family: contribution of the family to the realization of the right to an adequate standard of living for its members, particularly through its role in poverty eradication and achieving sustainable development	3 July 2015	213

Resolution	*Title*	*Date of adoption*	*Page*
29/23	Cooperation and assistance to Ukraine in the field of human rights	3 July 2015	218
29/24	Capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights	3 July 2015	219
29/25	Ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem	3 July 2015	26

B. Decisions

Decision	*Title*	*Date of adoption*	*Page*
28/101	Outcome of the universal periodic review: Italy	18 March 2015	138
28/102	Outcome of the universal periodic review: El Salvador	18 March 2015	138
28/103	Outcome of the universal periodic review: Plurinational State of Bolivia	18 March 2015	138
28/104	Outcome of the universal periodic review: Fiji	18 March 2015	139
28/105	Outcome of the universal periodic review: San Marino	18 March 2015	139
28/106	Outcome of the universal periodic review: Kazakhstan	19 March 2015	140
28/107	Outcome of the universal periodic review: Angola	19 March 2015	140
28/108	Outcome of the universal periodic review: Islamic Republic of Iran	19 March 2015	141
28/109	Outcome of the universal periodic review: Iraq	19 March 2015	141
28/110	Outcome of the universal periodic review: Madagascar	19 March 2015	142
28/111	Outcome of the universal periodic review: Slovenia	19 March 2015	142
28/112	Outcome of the universal periodic review: Egypt	20 March 2015	143
28/113	Outcome of the universal periodic review: Bosnia and Herzegovina	20 March 2015	143
28/114	Outcome of the universal periodic review: Gambia	26 March 2015	143
29/101	Outcome of the universal periodic review: Kyrgyzstan	24 June 2015	222
29/102	Outcome of the universal periodic review: Guinea	24 June 2015	223
29/103	Outcome of the universal periodic review: Lao People's Democratic Republic	25 June 2015	223
29/104	Outcome of the universal periodic review: Spain	25 June 2015	224
29/105	Outcome of the universal periodic review: Lesotho	25 June 2015	224
29/106	Outcome of the universal periodic review: Kenya	25 June 2015	225
29/107	Outcome of the universal periodic review: Armenia	25 June 2015	225
29/108	Outcome of the universal periodic review: Guinea-Bissau	25 June 2015	225
29/109	Outcome of the universal periodic review: Sweden	26 June 2015	226
29/110	Outcome of the universal periodic review: Grenada	26 June 2015	226
29/111	Outcome of the universal periodic review: Turkey	26 June 2015	227
29/112	Outcome of the universal periodic review: Kuwait	26 June 2015	227
29/113	Outcome of the universal periodic review: Kiribati	1 July 2015	228
29/114	Outcome of the universal periodic review: Guyana	2 July 2015	228

C. President's statements

President's statement	*Title*	*Date of adoption*	*Page*
PRST 28/1	Twentieth anniversary of the Fourth World Conference on Women and of the adoption of the Beijing Declaration and Platform for Action	25 March 2015	144
PRST 28/2	Seventieth anniversary of the end of the Second World War	26 March 2015	145
PRST 28/3	Situation of human rights in Haiti	27 March 2015	146
PRST 29/1	Enhancing the efficiency of the Human Rights Council	3 July 2015	228

Resolutions, decisions and President's statements adopted by the Human Rights Council at its twenty-eighth and twenty-ninth regular sessions, and at its twenty-third special session

I. Introduction

1. The Human Rights Council held its twenty-eighth session from 2 to 27 March 2015 and its twenty-ninth session from 15 June to 3 July 2015. It held its twenty-third special session on 1 April 2015.

2. The reports of the Human Rights Council on the above-mentioned sessions have been issued in documents A/HRC/28/2, A/HRC/S-23/2 and A/HRC/29/2.[1]

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[1] To be finalized

II. Resolutions brought to the attention of the General Assembly for its consideration and possible action

28/1. Composition of staff of the Office of the United Nations High Commissioner for Human Rights

The Human Rights Council,

Recalling paragraph 5 (g) of General Assembly resolution 60/251 of 15 March 2006, in which the Assembly decided that the Human Rights Council should assume the role and responsibilities of the Commission on Human Rights relating to the work of the Office of the United Nations High Commissioner for Human Rights, as decided by the Assembly in its resolution 48/141 of 20 December 1993,

Taking note of all relevant resolutions on this issue adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council,

Taking note also of the report of the High Commissioner on the composition of the staff of the Office of the High Commissioner,[2]

Recalling the reports of the Joint Inspection Unit on the follow-up to the management review of the Office of the High Commissioner[3] and on the funding and staffing of the Office,[4]

Bearing in mind that an imbalance in the composition of the staff could diminish the effectiveness of the work of the Office of the High Commissioner if it is perceived to be culturally biased and unrepresentative of the United Nations as a whole,

Reiterating its concern that, in spite of stated efforts by the Office of the High Commissioner, the situation whereby one region accounts for 49 per cent remains,

Reaffirming the importance of continuing ongoing efforts to address the imbalance regarding the regional representation of the staff of the Office of the High Commissioner, most notably in senior management positions,

Noting with concern that the dependence of the Office of the High Commissioner on extrabudgetary resources is at the heart of the imbalance in the composition of its staff,

Underlining that the paramount consideration for employing staff at every level is the need for the highest standards of efficiency, competence and integrity, and taking into account Article 101, paragraph 3 of the Charter of the United Nations, expressing its conviction that this objective is compatible with the principle of equitable geographical distribution,

Recognizing that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters,

1. *Expresses serious concern* at the fact that, despite the measures reported by the Office of the United Nations High Commissioner for Human Rights, the imbalance in the geographical representation of its composition continues to be prominent, and that a single region occupies almost half of the posts in the Office of the High Commissioner;

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[2] A/HRC/27/18.

[3] A/59/65-E/2004/48 and Add.1.

[4] JIU/REP/2007/8.

2. *Notes with concern* the fact that, in 2013, three regions decreased their representation in the percentage of staff and that an increase was recorded in the overrepresentation status of one region;

3. *Welcomes* the statement made by the High Commissioner in his report2 that enhancing the geographical diversity of the staff of the Office of the High Commissioner remains one of his priorities, and requests him to redouble his efforts with a view to redressing the current imbalance in the geographical composition of the staff of the Office, despite the budgetary contingency;

4. *Requests* the High Commissioner in this regard to establish specific and public targets and deadlines to be achieved;

5. *Also requests* the High Commissioner to work on the broadest geographical diversity of his staff by strengthening the measures aimed at achieving a better representation of countries and regions that are unrepresented or underrepresented, particularly from the developing world, while considering applying a cap on the representation of countries and regions already overrepresented in the Office of the High Commissioner;

6. *Further requests* the High Commissioner to implement further measures to eliminate the current imbalance in the geographical composition of the staff of the Office of the High Commissioner, in particular in the number of posts not subject to geographical distribution;

7. *Takes note with appreciation* of the commitment of the High Commissioner to remain attentive to the need to maintain the emphasis on the broadest possible geographic diversity of the Office of the High Commissioner, as stated in the conclusion of his report;

8. *Welcomes* the efforts made towards the achievement of a gender balance in the composition of the staff and the decision to continue to pay special attention to this issue;

9. *Recognizes* that, as at 31 December 2013, women accounted for 54.6 per cent of all staff at the Professional and higher level at the Office of the High Commissioner;

10. *Underlines* the importance of continuing to promote geographical diversity in recruitment and promotion at the Professional level and in particular in senior management positions as a principle of the staffing policies of the Office of the High Commissioner;

11. *Reaffirms* the vital importance of geographical balance in the composition of the staff of the Office of the High Commissioner, taking into account the significance of national and regional specificities and various historic, cultural and religious backgrounds and of different political, economic and legal systems to the promotion and protection of the universality of human rights;

12. *Recalls* the provisions contained in section X, paragraph 3 of General Assembly resolution 55/258 of 14 June 2001, on human resources management, in which the Assembly reiterated its request to the Secretary-General to increase further his efforts to improve the composition of the Secretariat by ensuring a wide and equitable geographical distribution of staff in each and every department;

13. *Underlines* the priority importance that the General Assembly continue to provide support and guidance to the High Commissioner in the ongoing process of improving the geographical balance in the composition of the staff of the Office of the High Commissioner;

14. *Requests* the High Commissioner to continue to improve his interaction with Member States, including within the framework of President's statements PRST/15/2 of 1 October 2010, PRST/18/2 of 30 September 2011 and PRST/19/1 of 22 March 2012, and giving particular attention to the composition of the staff;

15. *Takes note with appreciation* of the report of the Joint Inspection Unit on the review of the management and administration of the Office of the High Commissioner,[5] and decides to follow up on the staff composition issues highlighted therein;

16. *Takes note* of the note by the Secretary-General on the report of the Joint Inspection Unit;[6]

17. *Invites* the General Assembly and its appropriate subsidiary bodies to give consideration to the present resolution and, as necessary, to the relevant sections of the report of the Joint Inspection Unit4 to the implementation of the present resolution on the composition of the staff of the Office of the High Commissioner;

18 *Requests* the High Commissioner to submit a comprehensive and updated report to the Human Rights Council at its thirty-third session following the structure and scope of his report and with a special focus on further measures taken to correct the imbalance in the geographical composition of the staff of the Office of the High Commissioner, including targets and timetables and other specific actions;

19. *Decides* to remain seized of the matter.

55th meeting
26 March 2015

[Adopted by a recorded vote of 31 to 16. The voting was as follows:

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, Gabon, Ghana, India, Indonesia, Kazakhstan, Kenya, Maldives, Namibia, Nigeria, Pakistan, Paraguay, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

Albania, Estonia, France, Germany, Ireland, Japan, Latvia, Mexico, Montenegro, Morocco, Netherlands, Portugal, Republic of Korea, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America]

28/20. The continuing grave deterioration in the human rights and humanitarian situation in the Syrian Arab Republic

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming all its previous resolutions on the Syrian Arab Republic,

Reaffirming also its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic,

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[5] A/70/68.

[6] A/70/68/Add.1.

Condemning the grave deterioration of the human rights situation and the indiscriminate killing or deliberate targeting of civilians as such, in violation of international humanitarian law, and acts of violence that foment sectarian tensions,

Expressing its deepest concern about the findings of the Independent International Commission of Inquiry on the Syrian Arab Republic and the report into the credibility of certain evidence with regard to torture and execution of persons incarcerated by the current Syrian regime regarding the allegations contained in the evidence presented by "Caesar" in January 2014, on the torture and execution of persons incarcerated by the Syrian regime,[7]

Welcoming the efforts of the Special Envoy of the Secretary-General for the Syrian Arab Republic, and expressing full support for the diplomatic efforts of the Special Envoy aimed at finding a political solution on the basis of the Geneva communiqué, including for the formation of a transitional governing body with full executive powers,

Recalling the statements made by the Commission of Inquiry and the special procedures of the Human Rights Council that crimes against humanity and war crimes are likely to have been committed in the Syrian Arab Republic, and noting the repeated encouragement by the Commission to the Security Council to refer the situation to the International Criminal Court,

Condemning the lack of cooperation by the Syrian authorities with the Commission of Inquiry,

1. *Welcomes* the reports of the Independent International Commission of Inquiry on the Syrian Arab Republic, and notes the importance of the work of the Commission of Inquiry and the information it has collected in support of the future accountability efforts, in particular the information on alleged perpetrators violating international law;

2. *Demands* that the Syrian authorities cooperate fully with the Commission of Inquiry, including by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

3. *Decides* to extend for one year the mandate of the Commission of Inquiry, established by the Human Rights Council in its resolution S-17/1 of 23 August 2011, to investigate all alleged violations of international human rights law since March 2011 in the Syrian Arab Republic, to establish the facts and circumstances that may amount to such violations and of the crimes perpetrated and, where possible, to identify those responsible with a view to ensuring that perpetrators of violations, including those that may constitute crimes against humanity, are held accountable;

4. *Requests* the Commission of Inquiry to provide an oral update during an interactive dialogue at the twenty-ninth session of the Human Rights Council and to present written updated reports during the interactive dialogues at the thirtieth and thirty-first sessions;

5. *Strongly deplores* the suffering and torture in prisons and detention facilities throughout the Syrian Arab Republic as depicted in the reports of the Commission of Inquiry and the Office of the United Nations High Commissioner for Human Rights, demands that the Syrian authorities immediately release all persons arbitrarily detained and ensure that detention conditions are consistent with international law, and calls upon the Syrian authorities to publish a list of all prisons and detention facilities;

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[7] See S/2014/244, annex.

6. *Strongly condemns* practices including abductions, hostage-taking, incommunicado detention, torture, sexual violence, the brutal killing of civilians and summary executions carried out by regime forces and affiliated militias, non-State armed groups, as well as terrorist groups, most notably the so-called Islamic State in Iraq and the Levant (Daesh) and al-Nusra Front, and underlines that such acts may amount to crimes against humanity;

7. *Calls upon* the international community to support the leadership and full participation of women in all efforts aimed at finding a political solution in the Syrian Arab Republic, as envisaged by the Security Council in its resolutions 1325 (2000) of 31 October 2000 and 2122 (2013) of 18 October 2013, and encourages the Special Envoy of the Secretary-General for the Syrian Arab Republic to conduct consultations with a broad range of actors, including women-led organizations;

8. *Strongly condemns* the continuing escalation of violence in the Syrian Arab Republic, which has caused more than 200,000 fatalities, and in particular the continued widespread and systematic gross violations and abuses of human rights and violations of international humanitarian law, including those involving the continued use of heavy weapons and aerial bombardments, such as the indiscriminate use of ballistic missiles, cluster munitions, barrel and vacuum bombs and chlorine gas, and the starvation of civilians as a method of combat by the Syrian authorities against the Syrian population;

9. *Also strongly condemns* the use of chemical weapons in the Syrian Arab Republic, which is prohibited under international law, and demands that the Syrian Arab Republic respect fully its obligations under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the decision of the Executive Council of the Organization for the Prohibition of Chemical Weapons of 27 September 2013 and Security Council resolution 2118 (2013), also of 27 September 2013, requiring it to declare its programme in full and to eliminate it in its entirety;

10. *Notes with grave concern* the recent findings of the fact-finding mission of the Organization for the Prohibition of Chemical Weapons and the Commission of Inquiry regarding the repeated use of chlorine gas as a chemical weapon in the Syrian Arab Republic, recognizes that such use of chlorine gas by the Syrian authorities constitutes a violation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and expresses its strong conviction that those individuals responsible for the use of chemical weapons must be held accountable, as stressed by the Security Council in its resolution 2118 (2013) and expressed by the Executive Council of the Organization for the Prohibition of Chemical Weapons in its decision of 4 February 2015;

11. *Expresses grave concern* at the use of force by the Syrian authorities against civilians, which has caused immense human suffering and displacement, has fomented the spread of extremism and extremist groups and has demonstrated the failure of the Syrian authorities to protect the Syrian population and to implement the relevant resolutions and decisions of the United Nations bodies;

12. *Condemns in the strongest terms* the terrorist acts and violence committed against civilians by the so-called Islamic State in Iraq and the Levant (Daesh), its violent extremist ideology and its continued gross, systematic and widespread abuses of human rights and violations of international humanitarian law, and reaffirms that terrorism, including the actions of the so-called Islamic State in Iraq and the Levant (Daesh), cannot and should not be associated with any religion, nationality or civilization;

13. *Strongly condemns* the intervention in the Syrian Arab Republic of all foreign terrorist fighters and those foreign organizations fighting on behalf of the Syrian regime, particularly militia groups such as Hizbullah, Asa'ib Ahl al-Haq and Liwa' Abu al-Fadl al-Abbas, and expresses deep concern that their involvement further exacerbates the deteriorating situation in the Syrian Arab Republic, including the human rights and humanitarian situation, which has a serious negative impact on the region;

14. *Condemns* all violations and abuses of international human rights law and all violations of international humanitarian law committed against the civilian population, calls upon all groups in the Syrian Arab Republic to refrain from retaliation and violence and to take all necessary steps to protect civilians, including by demilitarizing medical facilities and schools, and urges all parties to the conflict to comply with their obligations under international humanitarian law and to respect human rights;

15. *Strongly condemns* violence against all persons based on their religious or ethnic affiliation, and calls upon all parties to fully respect international law;

16. *Notes with grave concern* the reporting of the Commission of Inquiry, including on the number and type of crimes committed, in which the Commission assessed that crimes against humanity and war crimes have been and continue to be committed in the territory of the Syrian Arab Republic;

17. *Recalls* that the International Criminal Court was established to help to end impunity for such crimes where the State is unwilling or unable to genuinely carry out investigations or prosecutions;

18. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of human rights law are held to account through appropriate, fair and independent domestic or international criminal justice mechanisms, and stresses the need to pursue practical steps towards this goal, noting the important role that the International Criminal Court can play in this regard;

19. *Takes note* of the ongoing efforts by those journalists and human rights defenders who provide information about human rights violations and abuses inside the Syrian Arab Republic, despite the grave risks;

20. *Expresses deep concern* at the growing number of refugees and internally displaced persons fleeing the violence, welcomes the efforts by neighbouring countries to host Syrian refugees, and acknowledges the socioeconomic consequences of the presence of large-scale refugee populations in those countries;

21. *Demands* that the Syrian authorities and all other parties to the conflict comply with their obligations under Security Council resolutions 2139 (2014) of 22 February 2014, 2165 (2014) of 14 July 2014 and 2191 (2014) of 17 December 2014 in order to enable the immediate and unhindered delivery of humanitarian assistance directly to people throughout the Syrian Arab Republic by United Nations agencies and their implementing partners;

22. *Deplores* the deteriorating humanitarian situation in the Syrian Arab Republic and urges the international community, including all donors, to provide urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

23. *Welcomes* the offer from Kuwait to host the third International Humanitarian Pledging Conference for Syria on 31 March 2015, expresses its

appreciation to donor States, and calls upon all members of the international community to respond expeditiously to the Syrian humanitarian appeals and to fulfil all previous pledges;

24. *Reiterates* that a genuine political transition based on the Geneva communiqué is needed to end the conflict in the Syrian Arab Republic, and encourages the international community to take appropriate steps to that end;

25. *Decides* to transmit all reports and oral updates of the Commission of Inquiry to all relevant bodies of the United Nations, recommends that the Commission brief the General Assembly during its sixty-ninth session, also recommends that the Assembly submit the reports to the Security Council for appropriate action, expresses its appreciation to the Commission for its briefings to members of the Council, and recommends the continuation of future briefings;

26. *Also decides* to remain seized of the matter.

57th meeting
27 March 2015

[Adopted by a recorded vote of 29 to 6, with 12 abstentions. The voting was as follows:

In favour:

Albania, Argentina, Botswana, Côte d'Ivoire, El Salvador, Estonia, France, Gabon, Germany, Ghana, Indonesia, Ireland, Japan, Latvia, Maldives, Mexico, Montenegro, Morocco, Netherlands, Paraguay, Portugal, Qatar, Republic of Korea, Saudi Arabia, Sierra Leone, the former Yugoslav Republic of Macedonia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Algeria, Bolivia (Plurinational State of), China, Cuba, Russian Federation, Venezuela (Bolivarian Republic of)

Abstaining:

Bangladesh, Brazil, Congo, Ethiopia, India, Kazakhstan, Kenya, Namibia, Nigeria, Pakistan, South Africa, Viet Nam]

28/28. Contribution of the Human Rights Council to the special session of the General Assembly on the world drug problem of 2016

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and recalling the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Vienna Declaration and Programme of Action and other relevant international human rights instruments,

Recalling General Assembly resolution 60/251 of 15 March 2006, as well as Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007 and 16/21 of 25 March 2011, and decision 5/101 of 18 June 2007,

Recalling in particular that the Human Rights Council has the mandate to, inter alia, promote universal respect for the protection of all human rights and fundamental freedoms for all, without discrimination of any kind and in a fair and equal manner, to serve as a forum for dialogue on thematic issues on all human rights, and to promote the effective coordination and mainstreaming of human rights within the United Nations system,

Reaffirming the universality, interdependence, indivisibility and interrelatedness of human rights as enshrined in the Universal Declaration of Human Rights and consequently elaborated in other human rights instruments,

Recalling the Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,

Emphasizing the importance of both the universality of the three above-mentioned international drug-control conventions and their implementation, noting that they concern the health and welfare of humankind, and noting the need to promote adequate availability of internationally controlled narcotic drugs and psychotropic substances for medical and scientific purposes, in accordance with national legislation, while preventing their diversion, abuse and trafficking, in order to realize the aims of the said international drug control conventions,

Recalling the Political Declaration adopted by the General Assembly at its twentieth special session, the Declaration on the Guiding Principles of Drug Demand Reduction, the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development, the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction, the United Nations Guiding Principles on Alternative Development, the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem and the Joint Ministerial Statement of the 2014 high-level review by the Commission on Narcotics Drugs of the Implementation by Member States of the said Political Declaration and Plan of Action,

Underlining that the world drug problem remains a common and shared responsibility that should be addressed in a multilateral setting through effective and increased international cooperation and demands an evidenced-based, integrated, multidisciplinary, mutually reinforcing, balanced and comprehensive approach to supply and demand reduction strategies, and reaffirming its unwavering commitment to ensuring that all aspects of demand reduction, supply reduction and international cooperation are addressed in full conformity with the purposes and principles of the Charter, international law and the Universal Declaration of Human Rights and, in particular with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States, all human rights, fundamental freedoms, non-discrimination, the inherent dignity of all individuals and the principles of equal rights and mutual respect among States,

Recognizing that the world drug problem undermines sustainable development, political stability and democratic institutions, including efforts to eradicate poverty, and threatens national security and the rule of law, and that drug trafficking and abuse pose a major threat to the health, dignity and hopes of millions of people and their families and lead to the loss of human lives,

Noting the developments at the national, subregional, regional and global level and the cooperation undertaken by regional organizations and cross-regional activities in addressing the world drug problem,

Recalling in particular General Assembly resolution 67/193 of 20 December 2012 on international cooperation against the world drug problem, in which the Assembly decided to convene, early in 2016, a special session of the Assembly on the world drug problem to review the progress made in the implementation of the Political

Declaration and Plan of Action, including an assessment of the achievements and challenges in countering the world drug problem within the framework of the three international drug control conventions and other relevant United Nations instruments by, inter alia, addressing all the consequences of the world drug problem, including in the heath, social, human rights, economic, justice and security fields,

Recalling all relevant resolutions of the General Assembly and the Economic and Social Council concerning the world drug problem, particularly Assembly resolution 69/200 of 18 December 2014 and Council resolution 2014/24 of 16 July 2014, both entitled "Special session of the General Assembly on the world drug problem to be held in 2016",

Recalling also Commission on Narcotic Drugs resolutions 57/5, on the special session of the General Assembly on the world drug problem to be held in 2016, and 51/12, on strengthening cooperation between the United Nations Office on Drugs and Crime and other United Nations entities for the promotion of human rights in the implementation of the international drug control treaties,

Recognizing the principal role of the Commission on Narcotic Drugs and its subsidiary bodies, together with the International Narcotic Control Board, as the United Nations organs with prime responsibility for drug control matters, as well as the role of the World Health Organization and of the United Nations Office of Drugs and Crime as the leading entity in the United Nations system for countering the world drug problem, and recalling that the General Assembly decided that the Commission should lead the preparatory process for the special session in 2016 by addressing all organizational and substantive matters in an open-ended manner, and in this regard invited the President of the Assembly to support, guide and stay involved in the process,

Stressing that the General Assembly decided, as recommended by the Commission on Narcotic Drugs, that the special session would have an inclusive preparatory process that includes extensive substantive consultations, allowing organs, entities and specialized agencies of the United Nations system, relevant international and regional organizations, civil society and other relevant stakeholders to fully contribute to the process in accordance with the relevant rules of procedure and established practice,

1. *Requests* the United Nations High Commissioner for Human Rights to prepare a study, in consultation with States, United Nations agencies and other relevant stakeholders, to be presented to the Human Rights Council at its thirtieth session, on the impact of the world drug problem on the enjoyment of human rights, and recommendations on respect for and the protection and promotion of human rights in the context of the world drug problem, with particular consideration for the needs of persons affected and persons in vulnerable situations;

2. *Decides* to convene a panel discussion at its thirtieth session on the impact of the world drug problem on the enjoyment of human rights, informed by the findings contained in the study prepared by the High Commissioner, to have a constructive and inclusive dialogue on this issue with relevant stakeholders, including specialized United Nations agencies and civil society and with the participation of the Commission on Narcotic Drugs, and requests the Office of the High Commissioner to prepare a report on the panel discussion in the form of a summary;

3. *Invites* the High Commissioner to submit to the Commission on Narcotic Drugs, through the Executive Director of the United Nations Office on Drugs and Crime, the contribution of the Human Rights Council to the special session of the General Assembly on the world drug problem to be held in 2016;

4. *Invites* the General Assembly to take into account the contribution of the Human Rights Council during its special session on the world drug problem in 2016 and of the Commission on Narcotic Drugs during the preparatory process, in accordance with relevant rules of procedure and established practices.

58th meeting
27 March 2015

[Adopted without a vote.]

28/34. Prevention of genocide

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide, and other relevant international instruments,

Recalling its resolutions 7/25 of 28 March 2008 and 22/22 of 22 March 2013 on the prevention of genocide,

Reaffirming the significance of the Convention on the Prevention and Punishment of the Crime of Genocide, adopted on 9 December 1948 and succeeded by the adoption of the Universal Declaration of Human Rights on the next day, as an effective international instrument for the prevention and punishment of the crime of genocide,

Emphasizing that the crime of genocide is recognized in the Convention as an odious scourge that has inflicted great losses on humanity, and that further international cooperation is required to facilitate the timely prevention and punishment of the crime of genocide,

Deeply concerned about the occurrence in recent history of genocide, recognized as such by the international community, on the basis of and as defined in the Convention, and bearing in mind that massive, serious and systematic violations of human rights and international humanitarian law might result in genocide,

Taking into consideration that States parties to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity of 26 November 1968 have agreed that no statutory limitation shall apply to such crimes, including the crime of genocide, irrespective of the date of their commission,

Affirming that impunity for the crime of genocide, war crimes and crimes against humanity encourages their occurrence and is a fundamental obstacle to the furtherance of cooperation among peoples and the promotion of international peace and security, and that fighting impunity for such crimes is an important factor in their prevention,

Condemning impunity for genocide, war crimes and crimes against humanity, and emphasizing the responsibility of States to comply with their obligations under relevant international instruments to end impunity and, to that end, to thoroughly investigate and prosecute persons responsible for genocide, crimes against humanity, war crimes or other massive, serious or systematic violations of human rights and international humanitarian law in order to avoid their recurrence and to seek sustainable peace, justice, truth and reconciliation, and in this regard stressing also the importance of strengthening the capacity of domestic jurisdictions and inter-State cooperation,

Acknowledging the significant progress made by the international community, including within the United Nations system, in developing relevant mechanisms and practices to prevent and punish the crime of genocide, thereby contributing to the effective implementation of the Convention,

Recalling General Assembly resolution 96 (I) of 11 December 1946, in which the Assembly declared genocide a crime under international law, and all subsequent resolutions within the United Nations system that have contributed to the establishment and development of the process of prevention and punishment of the crime of genocide, including Assembly resolution 60/1 of 16 September 2005,

Acknowledging with appreciation that genocide is defined among the most serious crimes of concern to the international community as a whole in the Rome Statute of the International Criminal Court, and also acknowledging the role of the Court and other relevant international criminal tribunals in helping to increase accountability for the crime of genocide,

Stressing the importance of the promotion of truth, justice, reparation and guarantees of non-recurrence to the prevention of genocide, and also stressing that perpetrators of this crime should be held criminally accountable on the national or international level,

Acknowledging the work of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence and its positive impact on the prevention of gross violations of human rights and serious violations of international humanitarian law through a holistic approach to transitional justice,

Acknowledging also the reports of the Office of the United Nations High Commissioner for Human Rights on the right to the truth,[8] and encouraging States to cooperate with the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence,

Encouraging States to promote the ascertainment of the truth by appropriate means as an important element in combating impunity and promoting accountability as part of the prevention of genocide and comprehensive reconciliation,

Recognizing that an important factor for the prevention of genocide is the identification of the root causes of genocide, as well as early warning signs,

Noting with concern that attempts to deny or to justify the crime of genocide, as defined in the Convention and established as such under international law, may risk undermining the fight against impunity, reconciliation and efforts to prevent genocide,

Recalling that the Human Rights Council was mandated by the General Assembly to address situations of violations of human rights, including gross and systematic violations, and to make recommendations thereon, and that it should also promote the effective coordination and mainstreaming of human rights in the United Nations system,

Recognizing the important contribution of the United Nations human rights system to efforts towards preventing situations in which the crime of genocide could be committed,

Reaffirming its full support for the mandate of the Special Adviser to the Secretary-General on the Prevention of Genocide, who acts as, inter alia, an early warning mechanism to prevent potential situations that could result in genocide,

Taking note of the new framework of analysis for atrocity crimes developed by the Office of the Special Advisers on the Prevention of Genocide and on the Responsibility to Protect as one of the tools to assess the risk of genocide in any situation, and encouraging Member States and regional and subregional organizations to use relevant frameworks, as appropriate, for guidance in their prevention work,

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[8] E/CN.4/2006/91, A/HRC/5/7, A/HRC/12/19 and A/HRC/15/33.

Taking note with appreciation of the presentation of the reports of the Secretary-General submitted to the Human Rights Council on the implementation of the Five-Point Action Plan[9] and the activities of the Special Adviser,[10] as well as of the convening of four interactive dialogues with the Special Adviser at the third, seventh, tenth and twenty-fifth sessions of the Council,

Recalling the 2005 World Summit Outcome,[11]

Welcoming the high-level panel discussion dedicated to the sixty-fifth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide at its twenty-fifth session, with the participation of Member States, relevant United Nations bodies, agencies and other relevant stakeholders,

Taking note of the interactive dialogue dedicated to the tenth anniversary of the creation of the mandate of the Special Adviser at its twenty-fifth session,

Acknowledging the important role played by regional and subregional arrangements in the prevention of genocide and response to situations that may lead to genocide, and taking note in this respect of the establishment of the Regional Committee for the Prevention and Punishment of the Crime of Genocide, War Crimes, Crimes against Humanity and All Forms of Discrimination by the International Conference on the Great Lakes Region, and of the establishment of respective national committees by the member States of the Conference, the Latin American Network for Genocide and Mass Atrocity Prevention, the Genocide Network of the European Union and other national, regional and international initiatives,

Acknowledging also the successful outcome of the regional forums on the prevention of genocide — the first, in Buenos Aires, from 10 to 12 December 2008; the second, in Arusha, from 3 to 5 March 2010; the third, in Bern, from 4 to 6 April 2011; and the fourth, in Phnom Penh, from 28 February to 1 March 2013 — and taking note of the first international meeting of Global Action Against Mass Atrocity Crimes, held in San José from 4 to 6 March 2014,

Acknowledging further that victims of and others affected by the crime of genocide as defined in the Convention call for a form of memorialization, which plays an important role in the prevention of genocide,

1. *Reaffirms* the significance of the Convention on the Prevention and Punishment of the Crime of Genocide as an effective international instrument for the prevention and punishment of the crime of genocide;

2. *Reiterates* the responsibility of each individual State to protect its population from genocide, which entails the prevention of such a crime, including incitement to it, through appropriate and necessary means;

3. *Encourages* Member States to build their capacity to prevent genocide through the development of individual expertise and the creation of appropriate offices within Governments to strengthen the work on prevention;

4. *Encourages* States to consider the appointment of focal points on the prevention of genocide, who could cooperate and exchange information and best practices among themselves and with the Special Adviser to the Secretary-General on

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[9] E/CN.4/2006/84.

[10] A/HRC/7/37 and A/HRC/10/30.

[11] General Assembly resolution 60/1.

the Prevention of Genocide, relevant United Nations bodies and with regional and subregional mechanisms;

5. *Expresses its appreciation* to all States that have ratified or acceded to the Convention on the Prevention and Punishment of the Crime of Genocide, and in particular to those States that have done so since the adoption by the Human Rights Council of its resolution 22/22;

6. *Calls upon* States that have not yet ratified or acceded to the Convention to consider doing so as a matter of high priority and, where necessary, to enact national legislation in conformity with the provisions of the Convention;

7. *Stresses* the importance of enhanced international cooperation, including through the United Nations system and regional organizations, aimed at fostering the principles enshrined in the Convention;

8. *Calls upon* all States, in order to deter future occurrences of genocide, to cooperate, including through the United Nations system, in strengthening appropriate collaboration among existing mechanisms that contribute to the early detection and prevention of massive, serious and systematic violations of human rights that, if not halted, could lead to genocide;

9. *Recognizes* the important role of the Secretary-General in contributing to the prompt consideration of cases of early warning or prevention, as mandated by the Security Council in its resolution 1366 (2001) of 30 August 2001, and the functions of the Special Adviser on the Prevention of Genocide who, in accordance with his mandate, collects existing information, in particular from within the United Nations system, liaises with the United Nations system on activities for the prevention of genocide and works to enhance the capacity of the United Nations to analyse and manage information relating to genocide or related crimes;

10. *Requests* all Governments to cooperate fully with the Special Adviser on the Prevention of Genocide in the performance of his work, to furnish all relevant information requested and to react promptly to his urgent appeals;

11. *Underlines* the important role of the United Nations human rights system, including that of the Human Rights Council, the Office of the United Nations High Commissioner for Human Rights and relevant special procedures and treaty bodies in addressing the challenge of collating information on massive, serious and systematic violations of human rights, thereby contributing to a better understanding and early warning of complex situations that might lead to genocide;

12. *Reiterates* the importance of its universal periodic review mechanism, which is an important instrument for advancing human rights, and invites States to include, where appropriate, the information on the prevention of genocide, war crimes and crimes against humanity in their national reports;

13. *Urges* all States to implement accepted universal periodic review recommendations related to the prevention of genocide, war crimes and crimes against humanity;

14. *Encourages* the Special Adviser on the Prevention of Genocide and the High Commissioner to further enhance the systematic exchange of information between their offices and between the Special Adviser and all relevant special procedures, including those concerned with the promotion and protection of human rights of persons belonging to national, ethnic, racial or religious groups, as outlined in article II of the Convention, and to continue collaboration with relevant international, regional and subregional organizations, national human rights institutions and civil society;

15. *Reiterates* the importance, when addressing complex situations that might lead to genocide as defined in the Convention, of a prompt and comprehensive examination of a set of multiple factors, including legal factors and possible warning signs as identified in, inter alia, the report of the Secretary-General on the implementation of the Five-Point Action Plan and the new framework of analysis for atrocity crimes developed by the Office of the Special Advisers on the Prevention of Genocide and on the Responsibility to Protect, such as the existence of groups at risk, the massive, serious and systematic violation of human rights, the resurgence of systematic discrimination and the prevalence of expressions of hate speech targeting persons belonging to national, ethnic, racial or religious groups, especially if they are uttered in the context of an actual or potential outbreak of violence;

16. *Encourages* States to make use of appropriate international and regional forums to address the issue of prevention of genocide, including, inter alia, the annual meetings of regional and thematic organizations and their related human rights machinery dedicated to the Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide;

17. *Invites* Member States and regional and subregional organizations to look at the examples of best practices of prevention of genocide developed in other regions, where appropriate, taking into account their specific regional and national circumstances, with the aim of exchanging experiences and good practices in order to strengthen prevention measures, including early warning mechanisms and forms of cooperation;

18. *Encourages* Governments, in cooperation with international and regional organizations and civil society, while promoting human rights education activities, to continue to disseminate knowledge of the principles of the Convention, paying particular attention to the principles of prevention;

19. *Emphasizes* the important role that education, including human rights education, can play in genocide prevention, and further encourages Governments to promote, as appropriate, educational programmes and projects that contribute to the prevention of genocide;

20. *Takes note* of the provision of training and technical assistance to Member States by the United Nations to strengthen early warning mechanisms for the prevention of genocide, as well as other prevention capacities, and encourages Member States to consider requesting such assistance, if required;

21. *Invites* States as a preventive measure to provide appropriate ways, which may include the establishment of national days of remembrance of victims of genocide, war crimes and crimes against humanity, which will ensure that such horrendous crimes are never forgotten and provide an opportunity for everyone to learn lessons from the past and to create a safer future;

22. *Recommends* that the General Assembly designate 9 December as the International Day of Commemoration and Dignity of the Victims of Genocide in order to raise awareness of the Convention on the Prevention and Punishment of the Crime of Genocide and its role in combating and preventing the crime of genocide;

23. *Invites* the Special Adviser on the Prevention of Genocide to continue to execute the activities under his mandate, including in the follow-up to the present resolution, by providing States with guidance, assistance and follow-up, upon their request;

24. *Also invites* the Special Adviser to an interactive dialogue with the Human Rights Council at its thirty-first session on the progress made in discharging his duties;

25. *Requests* the Secretary-General to draw up a roster of focal points and networks on the prevention of genocide with updated information from Member States;

26. *Decides* to continue its consideration of this issue in accordance with its programme of work.

59th meeting
27 March 2015

[Adopted without a vote.]

29/1. Fiftieth anniversary of the adoption and fortieth anniversary of the entry into force of the International Covenants on Human Rights

The Human Rights Council,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Mindful that the International Covenants on Human Rights constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights, form the core of the International Bill of Human Rights,

Recalling that 2016 will mark the fiftieth anniversary of the adoption of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights by the General Assembly in its resolution 2200 (XXI) on 16 December 1966, and acknowledging the fundamental importance and special status of these basic human rights instruments of the United Nations,

Recalling also that 2016 will also mark the fortieth anniversary of the entry into force of the International Covenants on Human Rights,

Considering that the anniversary of the adoption of the International Covenants on Human Rights provides an opportunity for the United Nations and its Member States to intensify their efforts to promote awareness and strengthened observance of the rights set out in the Covenants and other international instruments in the field of human rights,

Reaffirming the importance of the observance and effective implementation of the universally recognized standards in the field of human rights as contained in the Covenants,

Recalling that all human rights are universal, indivisible, interdependent and interrelated, that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and that while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Reaffirming that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights, in conformity with the purposes and principles of the Charter and with international law,

1. *Reaffirms* the importance of the International Covenants on Human Rights as major components of international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. *Calls upon* all States that have not yet done so to consider becoming parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and requests the Secretary-General to continue to support the annual treaty event to this end;

3. *Encourages* States parties to consider limiting the extent of any reservations that they lodge to the International Covenants on Human Rights and the Optional Protocols thereto, to formulate any reservations as precisely and narrowly as possible and to review regularly such reservations with a view to withdrawing them so as to ensure that no reservation is incompatible with the object and purpose of the relevant treaty;

4. *Calls for* the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols thereto;

5. *Invites* the United Nations High Commissioner for Human Rights to make provisions for events and arrangements aimed at the celebration of the anniversary of the International Covenants on Human Rights and to circulate the relevant information among States and other stakeholders;

6. *Invites* relevant United Nations organs and agencies, in coordination with the High Commissioner, to celebrate the anniversary of the International Covenants on Human Rights by intensifying their own contributions to United Nations system-wide efforts to promote and protect all human rights and fundamental freedoms;

7. *Decides* to convene at its thirty-first session a high-level panel discussion on the topic, "The fiftieth anniversary of the International Covenants on Human Rights: universality, indivisibility, interdependence and interrelatedness of all human rights", in order to give the fiftieth anniversary of the International Covenants on Human Rights attention commensurate with its historical significance;

8. *Recommends* that the General Assembly mark the fiftieth anniversary of the International Covenants on Human Rights during its seventy-first session.

42nd meeting
2 July 2015

[Adopted without a vote.]

29/25. Ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling relevant rules and principles of international law, including international humanitarian law and human rights law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to the Occupied Palestinian Territory, including East Jerusalem, *Recalling also* the Universal Declaration of Human Rights and the other human rights covenants, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child,

Recalling further its relevant resolutions, including resolutions S-9/1 of 12 January 2009 and S-21/1 of 23 July 2014, and the report of the United Nations Fact-Finding Mission on the Gaza Conflict,[12]

Expressing its appreciation to the independent commission of inquiry on the 2014 Gaza conflict for its comprehensive report,[13]

Affirming the obligation of all parties to respect international humanitarian law and international human rights law,

Emphasizing the importance of the safety and well-being of all civilians, reaffirming the obligation to ensure the protection of civilians in armed conflict, and deploring the civilian deaths that resulted from the conflict in and around the Gaza Strip in July and August 2014, including the killing of 1,462 Palestinian civilians, including 551 children and 299 women, and six Israeli civilians,

Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law, including possible war crimes, including the findings of the United Nations Fact-Finding Mission on the Gaza Conflict, of the independent commission of inquiry on the 2014 Gaza conflict, and of the boards of inquiry convened by the Secretary-General,

Condemning all violations of human rights and of international humanitarian law, and appalled at the widespread and unprecedented levels of destruction, death and human suffering caused,

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967,

Deploring the non-cooperation by Israel with the independent commission of inquiry on the 2014 Gaza conflict and the refusal to grant access to or to cooperate with international human rights bodies seeking to investigate alleged violations of international law in the Occupied Palestinian Territory, including East Jerusalem,

Regretting the lack of implementation of the recommendations contained in the report of the United Nations Fact-Finding Mission on the Gaza Conflict, which follows a pattern of lack of implementation of recommendations made by United Nations mechanisms and bodies,

Alarmed that long-standing systemic impunity for international law violations has allowed for the recurrence of grave violations without consequence, and stressing the need to ensure accountability for all violations of international humanitarian law and international human rights law in order to end impunity, ensure justice, deter further violations, protect civilians and promote peace,

Emphasizing the need for States to investigate grave breaches of the Geneva Conventions of 1949 to end impunity, uphold their obligations to ensure respect, and promote international accountability,

Noting the accession by Palestine to the Rome Statute of the International Criminal Court on 2 January 2015,

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[12] A/HRC/12/48.

[13] A/HRC/29/52.

1. *Welcomes* the report of the independent commission of inquiry on the 2014 Gaza conflict;[13]

2. *Calls upon* all duty bearers and United Nations bodies to pursue the implementation of all recommendations contained in the report of the commission of inquiry, in accordance with their respective mandates;

3. *Notes* the importance of the work of the commission of inquiry and of the United Nations Fact-Finding Mission on the Gaza Conflict of 2009 and the information collected regarding grave violations in support of future accountability efforts, in particular, information on alleged perpetrators of violations of international law;

4. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law and international human rights law are held to account through appropriate fair and independent domestic or international criminal justice mechanisms, and to ensure the provision of effective remedy to all victims, including reparations, and stresses the need to pursue practical steps towards these goals;

5. *Calls upon* the parties concerned to cooperate fully with the preliminary examination of the International Criminal Court and with any subsequent investigation that may be opened;

6. *Calls upon* all States to promote compliance with human rights obligations and all High Contracting Parties to the Fourth Geneva Convention to respect, and to ensure respect for, international humanitarian law in the Occupied Palestinian Territory, including East Jerusalem, in accordance with article 1 common to the Geneva Conventions, and to fulfil their obligations under articles 146, 147 and 148 of the said Convention with regard to penal sanctions, grave breaches and the responsibilities of the High Contracting Parties;

7. *Recommends* that the General Assembly remain apprised of the matter until it is satisfied that appropriate action with regard to implementing the recommendations made by the United Nations Fact-Finding Mission on the Gaza Conflict in its report has been or is being taken appropriately at the domestic or international levels to ensure justice for victims and accountability for perpetrators;

8. *Requests* the United Nations High Commissioner for Human Rights to present, as part of the reporting requested by the Human Rights Council in its resolutions S-9/1 and S-12/1, a report on the implementation of the present resolution and of the recommendations contained in the reports of the independent commission of inquiry on the 2014 Gaza conflict and of the United Nations Fact-Finding Mission on the Gaza Conflict, to the Council at its thirty-first session;

9. *Decides* to remain seized of the matter.

46th meeting
3 July 2015

[Adopted by a recorded vote of 41 to 1, with 5 abstentions. The voting was as follows:

In *favour*:

Albania, Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Estonia, France, Gabon, Germany, Ghana, Indonesia, Ireland, Japan, Kazakhstan, Latvia, Maldives, Mexico, Montenegro, Morocco, Namibia, Netherlands, Nigeria, Pakistan, Portugal, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of), Viet Nam

Against:
United States of America

Abstaining:
Ethiopia, India, Kenya, Paraguay, the former Yugoslav Republic of Macedonia]

III. Twenty-eighth session

A. Resolutions

28/1. Composition of staff of the Office of the United Nations High Commissioner for Human Rights

For the text of the resolution, see chapter II.

28/2. Enhancement of international cooperation in the field of human rights

The Human Rights Council,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action, adopted at the World Conference on Human Rights on 25 June 1993, for enhancing genuine cooperation among Member States in the field of human rights,

Recalling the adoption by the General Assembly of the United Nations Millennium Declaration on 8 September 2000 and the renewed commitments to achieve the Millennium Development Goals by their target date of 2015, as set out in the outcome document adopted at the high-level plenary meeting of the sixty-fifth session of the Assembly on the Millennium Development Goals,

Recalling also all decisions and resolutions of the Commission on Human Rights, the Human Rights Council and the General Assembly on the enhancement of international cooperation in the field of human rights, the latest of which being Council resolution 25/3 of 27 March 2014 and Assembly resolution 69/179 of 18 December 2014,

Recalling further the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa from 31 August to 8 September 2001, and the Durban Review Conference, held in Geneva from 20 to 24 April 2009, the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action and their role in the enhancement of international cooperation in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Recognizing also that the promotion and protection of human rights should be based on the principles of cooperation and genuine dialogue in all relevant forums, including in the context of the universal periodic review, and be aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Stressing the importance of international cooperation for improving the living conditions of all in every country, including in particular in developing countries,

Recognizing the need to continue to mutually enrich South-South cooperation, based on the diverse experiences of and good practices from South-South cooperation, triangular cooperation and North-South cooperation, and to further explore complementarities and synergies between them with the aim of enhancing international cooperation in the field of human rights,

Determined to take new steps forward in the commitment of the international community with a view to achieving substantial progress in human rights endeavours by an increased and sustained effort of international cooperation and solidarity,

Recalling General Assembly resolution 60/251 of 15 March 2006, in which the Assembly established the Human Rights Council, and reaffirming that the work of the Council shall be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation with a view to enhancing the promotion and protection of all human rights, civil political, economic, social and cultural rights, including the right to development,

Reiterating the role played by the universal periodic review as an important mechanism in contributing to the enhancement of international cooperation in the field of human rights,

Recalling Human Rights Council resolution 6/17 of 28 September 2008, in which the Council requested the Secretary-General to establish a universal periodic review voluntary trust fund to facilitate the participation of developing countries, particularly least developing countries, in the universal periodic review mechanism, and to establish the voluntary fund for financial and technical assistance, to be administered jointly with the universal periodic review voluntary trust fund, in order to provide, in conjunction with multilateral funding mechanisms, a source of financial and technical assistance to help countries implement recommendations emanating from the universal periodic review in consultation with, and with the consent of, the country concerned,

Reaffirming that dialogue among and within religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

Recognizing that cultural diversity and the promotion and protection of cultural rights are sources of mutual enrichment for the cultural life of humankind,

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are fundamental elements in all activities for the promotion and protection of human rights,

Stressing the need to explore ways and means for enhancing genuine cooperation and constructive dialogue among Member States in the field of human rights,

1. *Reaffirms* that it is one of the purposes of the United Nations and also the primary responsibility of States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Recognizes* that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level;

3. *Reaffirms* the duty of States to cooperate with one another in accordance with the Charter of the United Nations in the promotion of universal respect for and observance of human rights and fundamental freedoms for all, including with respect to the elimination of all forms of racial discrimination and all forms of religious intolerance;

4. *Underlines* the fact that States have pledged themselves to cooperate and act in collaboration with the United Nations, in accordance with the Charter, for the achievement of universal respect for and observance of human rights;

5. *Reaffirms* that dialogue among and within cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of conferences and meetings at the national, regional and international levels on dialogue among civilizations;

6. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and the promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

7. *Resolves* to promote respect for and preserve cultural diversity within and between communities and nations while respecting human rights law, including cultural rights, with a view to creating a harmonious multicultural world;

8. *Reaffirms* the importance of the enhancement of international cooperation for the promotion and protection of human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

9. *Considers* that international cooperation in the field of human rights, in conformity with the purposes and principles set out in the Charter and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

10. *Emphasizes* the need to promote a cooperative and constructive approach to the promotion and protection of human rights, as well as to further enhance the role of the Human Rights Council in promoting advisory services, technical assistance and capacity-building to support efforts to ensure the equal realization of all human rights and fundamental freedoms, where appropriate;

11. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-selectivity, objectivity and transparency and the enhancement of international cooperation, in a manner consistent with the purposes and principles set out in the Charter;

12. *Emphasizes* the importance of the universal periodic review as a mechanism based on cooperation and constructive dialogue with the objective of, inter alia, improving the situation of human rights on the ground and promoting the fulfilment of the human rights obligations and commitments undertaken by States;

13. *Also emphasizes* the role of international cooperation in support of national efforts and in raising the capacities of States in the field of human rights through, inter alia, the enhancement of their cooperation with human rights mechanisms, including through the provision of technical assistance, upon the request of and in accordance with the priorities set by the States concerned;

14. *Takes note* of the consolidated annual written update on the operations of the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review submitted to the Human Rights Council at its twenty-fourth session;[14]

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[14] A/HRC/24/56.

15. *Also takes note* of the compilation prepared by the Office of the United Nations High Commissioner for Human Rights of the views of States and relevant stakeholders on the contribution of the Voluntary Fund for Financial and Technical Assistance,[15] in particular with regard to its sustainability and accessibility, to the implementation of recommendations accepted by States as part of their universal periodic review that required financial support;

16. *Requests* the Office of the High Commissioner to seek to enhance dialogue with representatives from non-traditional donor countries with a view to broaden the donor base and to replenish the resources available to both funds;

17. *Also requests* the Office of the High Commissioner to make clear the process by which States request assistance from both funds, and to process such requests in a timely and transparent manner that adequately responds to the requesting States;

18. *Urges* States to continue to support both funds;

19. *Calls upon* States, specialized agencies and intergovernmental organizations to continue to carry out a constructive and cooperative dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

20. *Calls upon* States to further advance initiatives aimed at enhancing international cooperation in the field of human rights on issues of common interest and concern, bearing in mind the need to promote a cooperative and constructive approach in this regard;

21. *Urges* States to take the measures necessary to enhance bilateral, regional and international cooperation aimed at addressing the adverse impact of consecutive and compounded global crises, such as financial and economic crises, food crises, climate change and natural disasters, on the full enjoyment of human rights;

22. *Requests* all Member States and the United Nations system to foster complementarities among North-South, South-South and triangular cooperation aiming at the enhancement of international cooperation in the field of human rights;

23. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

24. *Recalls* that, in its resolution 69/179, the General Assembly requested the Secretary-General, in collaboration with the High Commissioner, to consult States and intergovernmental and non-governmental organizations on ways and means, as well as obstacles and challenges and proposals to overcome them, for the enhancement of international cooperation and dialogue in the United Nations human rights machinery, including the Human Rights Council;

25. *Takes note* of the report of the Human Rights Council Advisory Committee on the ways and means to enhance international cooperation in the field of human rights;[16]

26. *Welcomes* the high-level panel discussion on human rights mainstreaming held during twenty-eighth session of the Human Rights Council with the theme of "Enhancement of international cooperation in the field of human rights", and requests

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[15] A/HRC/19/50.

[16] A/HRC/26/41.

the High Commissioner to prepare, in consultation with States, and taking into account the discussions conducted by the panel, a report on the ways and means, as well as obstacles and challenges and proposals to overcome them, for the enhancement of international cooperation in the United Nations human rights machinery, including the Council, and to submit it to the Council before its thirtieth session;

27. *Decides* to continue its consideration of the matter in 2016, in accordance with its annual programme of work.

55th meeting
26 March 2015

[Adopted without a vote.]

28/3. Ensuring use of remotely piloted aircraft or armed drones in counter-terrorism and military operations in accordance with international law, including international human rights and humanitarian law

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, in particular Article 2, paragraph 4 thereof,

Reaffirming the Universal Declaration of Human Rights, which recognizes the right to life, liberty and security of person, among other rights,

Reaffirming also the principles enshrined in the Vienna Declaration and Programme of Action,

Reaffirming further the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Reaffirming Human Rights Council resolution 25/22 of 28 March 2014, and recalling General Assembly resolution 68/178 of 18 December 2013 and Council resolutions 19/19 of 23 March 2012 and 25/7 of 27 March 2014,

Taking note with appreciation of the reports of the Special Rapporteur on the protection of human rights and fundamental freedoms while countering terrorism, presented to the Human Rights Council at its twenty-fifth session,[17] and of the Special Rapporteur on extrajudicial, summary or arbitrary executions, submitted to the General Assembly at its sixty-eighth session,[18]

1. *Welcomes* the holding on 22 September 2014 of the interactive panel discussion of experts on the use of remotely piloted aircraft or armed drones in compliance with international law, and takes note with appreciation of the summary report thereof;[19]

2. *Invites* the United Nations High Commissioner for Human Rights and relevant special procedures of the Human Rights Council and the human rights treaty bodies to pay attention, within the framework of their mandates, to violations of international law as a result of the use of remotely piloted aircraft or armed drones;

3. *Decides* to remain seized of the matter.

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[17] A/HRC/25/59.

[18] A/68/382.

[19] A/HRC/28/38.

55th meeting
26 March 2015

[Adopted by a recorded vote of 29 to 6, with 12 abstentions. The voting was as follows:

In favour:

Algeria, Argentina, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Cuba, El Salvador, Gabon, Ghana, Indonesia, Ireland, Kazakhstan, Kenya, Maldives, Mexico, Morocco, Namibia, Nigeria, Pakistan, Paraguay, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, Venezuela (Bolivarian Republic of), Viet Nam

Against:

France, Japan, Republic of Korea, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Bangladesh, Côte d'Ivoire, Estonia, Ethiopia, Germany, India, Latvia, Montenegro, Netherlands, Portugal, United Arab Emirates]

28/4. The right of persons with disabilities to live independently and be included in the community on an equal basis with others

The Human Rights Council,

Recalling the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto,

Recalling also the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed the full enjoyment of their rights and freedoms without discrimination,

Reaffirming all of its previous resolutions on the rights of persons with disabilities, the most recent of which was resolution 25/20 of 28 March 2014, and welcoming the efforts of all stakeholders to implement those resolutions,

Recalling in particular that article 19 of the Convention on the Rights of Persons with Disabilities reaffirms the right of persons with disabilities to live independently and be included in the community on an equal basis with others, and provides that, with a view to realizing this right without discrimination, States parties shall take effective and appropriate measures to facilitate the full inclusion and participation in the community of persons with disabilities,

Recalling the general principles reflected in the Convention, namely respect for inherent dignity, individual autonomy and independence, and full and effective participation and inclusion in society,

Emphasizing that the enjoyment of the right to living independently and being included in the community on an equal basis with others is closely linked to the enjoyment of the full range of human rights by persons with disabilities,

Recognizing that progress has been made, yet deeply concerned that many persons with disabilities in all regions continue to face significant obstacles in exercising their right to live independently and be included in the community on an equal basis with others, *Emphasizing* that access to physical environment, transportation, information and communications, including information and communications technology, and other services and facilities provided to public are a key to independent, autonomous living and equal participation in society for persons with disabilities,

Welcoming the work undertaken by the task force on secretariat services, accessibility for persons with disabilities and use of information technology of the Human Rights Council, and encouraging it to report orally to the Council on the progress made on the full implementation of the recommendations contained in its reports[20] and its future work,

Deeply concerned at the negative impact of laws or practices on the rights of persons with disabilities that deprive them of their legal capacity or allow for their forced institutionalization on the basis of a real or perceived disability,

Deeply concerned also that girls and women of all ages with disabilities are subject to multiple, aggravated or intersecting forms of discrimination, and bearing in mind the particular risk of segregation, violence and abuse against women and girls with disabilities,

Noting the ongoing preparations for the post-2015 development agenda and its consideration of persons with disabilities in both the report of the Open Working Group of the General Assembly on Sustainable Development Goals[21] and the report of the Secretary-General entitled "A life of dignity for all: accelerating progress towards the Millennium Development Goals and advancing the United Nations development agenda beyond 2015",[22]

Recalling the high-level meeting of the General Assembly held on 23 September 2013 on disability and development and its outcome document,[23]

Welcoming the appointment of the Special Rapporteur on the rights of persons with disabilities, and her report,[24]

1. *Welcomes* the fact that, to date, 159 States have signed and 151 States and one regional integration organization have ratified or acceded to the Convention on the Rights of Persons with Disabilities, and that 92 States have signed and 85 States have ratified or acceded to the Optional Protocol to the Convention, and calls upon those States and regional integration organizations that have not yet ratified or acceded to the Convention and the Optional Protocol to consider doing so as a matter of priority;

2. *Encourages* States that have ratified the Convention and have submitted one or more reservations to it to initiate a process to review regularly the effect and continued relevance of such reservations, and to consider the possibility of withdrawing them;

3. *Welcomes* the thematic study on the right of persons with disabilities to live independently and be included in the community prepared by the Office of the United Nations High Commissioner for Human Rights,[25] and calls upon all stakeholders to consider its findings and recommendations with a view to their implementation, where appropriate;

4. *Calls upon* States that are not yet party to the Convention on the Rights of Persons with Disabilities to ensure that persons with disabilities can effectively and

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[20] A/HRC/21/CRP.1, A/HRC/23/CRP.2.

[21] A/68/970.

[22] A/68/202.

[23] General Assembly resolution 68/3.

[24] A/HRC/28/58.

[25] A/HRC/28/37.

fully enjoy the right to living independently and being included in the community on an equal basis with others;

5. *Calls upon* States parties to the Convention to take effective and appropriate measures to facilitate the full enjoyment by persons with disabilities of the right to live independently and be included in the community on an equal basis with others, and urges States parties, in furtherance of this objective to, inter alia:

(*a*) *Guarantee* equal recognition before the law of persons with disabilities and ensure that they have the opportunity to exercise control over their lives on an equal basis with others;

(*b*) *Prevent* isolation or segregation from the community of persons with disabilities, and in that regard take further measures towards their deinstitutionalization;

(*c*) *Provide* persons with disabilities with access to a range of support services that are responsive to their individual choices, wishes and needs, including for their deinstitutionalization;

6. *Urges* States to take all appropriate measures to eliminate discrimination against women and girls with disabilities and to promote gender equality in order to ensure the equal enjoyment of their rights, in particular to live independently and be fully included and participate in the community on an equal basis with others;

7. *Encourages* States to engage in international cooperation efforts aimed at enhancing their national capacities to guarantee fully the right of persons with disabilities to live independently and be included in the community on an equal basis with others, and invites the Office of the High Commissioner and relevant United Nations agencies to consider ways to foster international cooperation activities in this regard;

8. *Recognizes* the importance of international cooperation and its promotion in support of national efforts to promote the rights of persons with disabilities, including the right to live independently and be included in the community on an equal basis with others without discrimination, in this regard encourages the mobilization of public and private resources on a sustainable basis to mainstream disability in development, and underlines the need to promote and strengthen international cooperation at all levels, the exchange of good practices and partnerships for disability-inclusive development;

9. *Calls upon* States to ensure that all international cooperation is inclusive of persons with disabilities and does not contribute to creating new barriers for them;

10. *Also calls upon* States to consider becoming party to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled;

11. *Decides* that its next annual interactive debate on the rights of persons with disabilities will be held at its thirty-first session and that it will focus on article 11 of the Convention on the Rights of Persons with Disabilities, on situations of risk and humanitarian emergencies, and will have international sign interpretation and captioning;

12. *Requests* the Office of the High Commissioner to prepare its annual study on the rights of persons with disabilities on article 11 of the Convention, on situations of risk and humanitarian emergencies, and in consultation with States and other relevant stakeholders, regional organizations, the Special Rapporteur on the rights of persons with disabilities, civil society organizations, including organizations of persons with disabilities, and national human rights institutions, requiring

contributions to be submitted in an accessible format, and requests that such stakeholder contributions, and the study and an easy-to-read-version of it, be made available on the website of the Office, in an accessible format, prior to the thirty-first session of the Human Rights Council;

13. *Decides* to make the resolution on the rights of persons with disabilities biennial as of the thirty-first session, with its subsequent consideration at the thirty-seventh session;

14. *Urges* States to consider further integrating and mainstreaming the perspective and rights of persons with disabilities into the work of the Human Rights Council;

15. *Encourages* representative organizations of persons with disabilities, civil society, national monitoring bodies and human rights institutions to participate actively in the debate referred to in paragraph 11 above and in regular and special sessions of the Human Rights Council and its working groups;

16. *Invites* the Conference of State Parties to the Convention on the Rights of Persons with Disabilities to consider, in accordance with its mandate, the outcome document of the World Conference on Disaster Risk Reduction, held in Sendai, Japan, in March 2015, in relation to article 11 of the Convention;

17. *Requests* the Secretary-General, the High Commissioner and United Nations offices to continue the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system, also taking into account relevant provisions of the Convention on the Rights of Persons with Disabilities, and underlines that the Human Rights Council, including its Internet resources, should be fully accessible to persons with disabilities;

18. *Requests* the Secretary-General to continue to ensure that the work of the Office of the High Commissioner with respect to the rights of persons with disabilities and the Committee on the Rights of Persons with Disabilities are adequately resourced for the fulfilment of their tasks.

55th meeting
26 March 2015

[Adopted without a vote.]

28/5. The negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights, and the importance of improving international cooperation

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the Declaration on the Right to Development, the Vienna Declaration and Programme of Action and other relevant human rights instruments,

Recalling General Assembly resolutions 60/251 of 15 March 2006, 62/219 of 22 December 2007 and 65/281 of 17 June 2011, and Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007, 11/11 of 18 June 2009 and 16/21 of 25 March 2011,

Recalling also General Assembly resolutions 54/205 of 22 December 1999, 55/61 of 4 December 2000, 55/188 of 20 December 2000, 56/186 of 21 December

2001, 57/244 of 20 December 2002, 58/205 of 23 December 2003, 59/242 of 22 December 2004, 60/1 of 16 September 2005, 60/207 of 22 December 2005, 61/209 of 20 December 2006, 62/202 of 19 December 2007, 63/226 of 19 December 2008, 64/237 of 24 December 2009, 65/1 of 22 September 2010, 65/169 of 20 December 2010, 67/192 of 20 December 2012, 68/195 of 18 December 2013, 68/309 of 10 September 2014 and 69/199 of 18 December 2014,

Recalling further Human Rights Council resolutions 17/23 of 17 June 2011, 19/38 of 23 March 2012, 22/12 of 21 March 2013 and 25/9 of 27 March 2014,

Welcoming the entry into force on 14 December 2005 of the United Nations Convention against Corruption,

Reiterating the commitment to ensure the effective enjoyment of all civil, political, economic, social and cultural rights for everyone, including the right to development, and the obligation of all States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Reaffirming that all peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic cooperation, based upon the principle of mutual benefit, and international law, and that in no case may a people be deprived of its own means of subsistence,

Recognizing that fighting corruption at all levels is a priority and that corruption is a serious barrier to effective resource mobilization and allocation and diverts resources away from activities that are vital for poverty eradication, the fight against hunger, and economic and sustainable development,

Alarmed at cases in which the proceeds of corruption-related crimes that involve vast quantities of assets may constitute a substantial proportion of the resources of States, the deprivation of which threatens the political stability and sustainable development of those States and has a negative impact on the application by States of the maximum available resources to the full realization of all human rights for all,

Deeply concerned that the enjoyment of human rights, be they economic, social and cultural, or civil and political, in particular the right to development, is seriously undermined by corruption and the transfer of funds of illicit origin, which may endanger the stability and security of societies, undermine the values of democracy and morality and jeopardize social, economic and political development, especially when an inadequate national and international response leads to impunity,

Recalling the United Nations Convention against Corruption, underlining its central role in fostering international cooperation to facilitate the repatriation of the proceeds of corruption-related crimes, and stressing the need for universal adherence to the Convention and for its full implementation, as well as the full implementation of the resolutions and decisions of the Conference of the States Parties to the Convention, particularly those adopted at its fourth and fifth sessions,

Recalling also that the United Nations Convention against Corruption underlines that States parties should not decline to render mutual legal assistance, pursuant to the Convention, including on the ground of bank secrecy,

Taking note of the work carried out by different United Nations bodies, including the United Nations Office on Drugs and Crime, and international and regional organizations in preventing and combating all forms of corruption,

Bearing in mind that the prevention and eradication of corruption is a responsibility of all States, and that States should cooperate with one another, in accordance with the United Nations Convention against Corruption, with the support and involvement of other stakeholders, as appropriate,

Encouraging all relevant United Nations mechanisms to continue their consideration of the negative impact of illicit financial flows on the enjoyment of human rights, to further explore policy responses to the phenomenon and to coordinate their efforts in this regard,

Recognizing that supportive domestic legal systems are essential in preventing and combating corrupt practices and the transfer of assets of illicit origin and in returning such assets, and recalling that the fight against all forms of corruption requires strong institutions at all levels, including at the local level, able to take efficient preventive and law enforcement measures consistent with the United Nations Convention against Corruption, in particular chapters II and III thereof,

Appreciating the continued efforts of the Conference of the States Parties to the United Nations Convention against Corruption, through its various intergovernmental working groups, to oversee the review process of the implementation of the Convention, to advise on the provision of technical assistance for building institutional and human capacity in States parties for the prevention of corruption, and to enhance international cooperation, including in the repatriation of funds of illicit origin,

Affirming the responsibilities of requesting and requested States in the repatriation of funds of illicit origin, cognizant that countries of origin must seek repatriation as part of their duty to ensure the application of the maximum available resources to the full realization of all human rights for all, including the right to development, address human rights violations and combat impunity, and that recipient countries, on the other hand, have a duty to assist and facilitate repatriation, including through judicial assistance, as part of their obligation of international cooperation and assistance under chapters IV and V of the United Nations Convention against Corruption and in the field of human rights,

Recalling that the repatriation of funds of illicit origin requires the close and transparent coordination and cooperation of requesting and requested States, including between competent authorities, in particular the judicial authorities, within the shared responsibility to facilitate efficient international cooperation for the prompt recovery of assets of illicit origin,

Recalling also that article 2.1 of the International Covenant on Economic, Social and Cultural Rights notes the need for each State party to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources with a view to achieving progressively the full realization of the rights recognized in the Covenant by all appropriate means, and article 3.3 of the Declaration on the Right to Development, which notes that States have the duty to cooperate with each other in ensuring development and eliminating obstacles to development,

Affirming the commitment made at the 2005 World Summit and the 2010 high-level plenary meeting of the General Assembly on the Millennium Development Goals to make the fight against corruption a priority at all levels and to curb the illicit transfer of funds,

Concerned at the difficulties, in particular the practical difficulties, that both requested and requesting States face in the repatriation of funds of illicit origin, taking into account the particular importance of the recovery of stolen assets for sustainable development and stability, and noting the difficulties of providing information establishing a link between the proceeds of corruption in the requested State and the crime committed in the requesting State, which in many cases may be difficult to prove, bearing in mind that everyone charged with a criminal offence has the right to be presumed innocent until proven guilty according to law,

Acknowledging the progress made towards the implementation of the United Nations Convention against Corruption, while recognizing that States continue to face challenges in recovering funds of illicit origin owing to, inter alia, differences in legal systems, the complexity of multijurisdictional investigations and prosecutions, lack of familiarity with the mutual legal assistance procedures of other States and difficulties in identifying the flow of funds of illicit origin, noting the particular challenges in recovering them in cases involving individuals who are or have been entrusted with prominent public functions and their family members and close associates, and recognizing that legal difficulties are often exacerbated by factual and institutional obstacles,

Noting with serious concern that, as highlighted in the interim report by the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights,[26] despite the scarcity of available public data, most illicit financial outflows are from developing countries; that, according to the Independent Expert in his interim study on illicit financial flows, human rights and the post-2015 development agenda,[27] recent studies indicate that developing countries lost $991 billion in illicit financial outflows in 2012, that those flows increased in real terms at a rate of 9.4 per cent per annum over the period 2003-2012, and that the annual loss is substantially more than the estimated yearly costs of achieving the Millennium Development Goals; and that, as indicated by the Special Rapporteur on extreme poverty and human rights in her report on taxation policies,[28] in 2011, developing countries lost $946.7 billion owing to illicit financial flows — a substantial portion of which relating to tax abuse — which, according to the Organization for Economic Cooperation and Development, was more than seven times the official development assistance for that year and substantially more than the estimated costs of achieving the Millennium Development Goals,

Noting with serious concern also that, as highlighted by the Independent Expert in his final report,[29] while official development assistance remains an important source of finance for poverty alleviation and development, the substantial amounts lost to illicit financial flows could help the efforts of developing countries to mobilize domestic resources for poverty alleviation, development and realization of human rights, and to reduce their dependence on external financing, which can lead to the erosion of ownership of national development agendas,

Welcoming the proposal of the High-level Panel of Eminent Persons on the Post-2015 Development Agenda and of the Open Working Group of the General Assembly on Sustainable Development Goals to include in the future United Nations development agenda the goal to reduce significantly by 2030 illicit financial and arms flows, to strengthen the recovery and return of stolen assets and to combat all forms of organized crime,

Noting the particular concern of developing countries and countries with economies in transition regarding the need to return assets of illicit origin derived from corruption, in particular to countries from which they originated, consistent with the principles of the United Nations Convention against Corruption, in particular chapter V thereto, so as to enable countries to design and fund development projects in accordance with their national priorities in view of the importance that such assets can have to their sustainable development,

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[26] A/HRC/22/42 and Corr.1.

[27] A/HRC/28/60 and Corr.1.

[28] A/HRC/26/28 and Corr.1.

[29] A/HRC/25/52.

Convinced that the illicit acquisition of personal wealth can be particularly damaging to democratic institutions, national economies and the rule of law, and stressing that any resource that the State is deprived of because of corruption has potentially the same negative effect, regardless of whether it is exported or domestically retained,

1. *Welcomes* the interim study on illicit financial flows, human rights and the post-2015 development agenda prepared by the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights;[27]

2. *Encourages* States to ensure the adoption of a specific target on significantly reducing illicit financial and arms flows, strengthening the recovery and return of stolen assets and combating all forms of organized crime in the final post-2015 development agenda;

3. *Calls upon* all States that have not yet acceded to the United Nations Convention against Corruption to consider doing so as a matter of priority;

4. *Calls upon* States to consider enacting legislation to address offences by business enterprises, including multinational corporations, which deprive Governments of legitimate domestic sources of revenue for the implementation of their development agendas;

5. *Asserts* the urgent need to repatriate illicit funds to the countries of origin without conditionalities, in accordance with the United Nations Convention against Corruption and the commitments made at the 2005 World Summit and the 2010 high-level plenary meeting of the General Assembly on the Millennium Development Goals to make the fight against corruption a priority at all levels and to curb the illicit transfer of funds, and urges all States to step up their efforts to trace, freeze and recover those funds;

6. *Acknowledges* the importance of compliance with international human rights law in relation to the repatriation of funds of illicit origin by, inter alia, promoting human rights-based policy coherence in the deliberations and actions by States Members of the Human Rights Council and in the intergovernmental process of implementing the United Nations Convention against Corruption;

7. *Invites* the Conference of the States Parties to the United Nations Convention against Corruption to consider ways of adopting a human rights-based approach in the implementation of the Convention, including when dealing with the repatriation of funds of illicit origin, and appreciates the continued efforts of the Open-ended Intergovernmental Working Group on Asset Recovery of the Conference to assist States parties in fulfilling their obligations under the Convention to prevent, detect and deter in a more effective manner the international transfer of funds of illicit origin and to strengthen international cooperation in asset recovery, bearing in mind that, regardless of the capacities, resources and willingness of the requesting State's institutions and authorities, there is a victim society that is suffering the consequences of the transfer of those funds;

8. *Welcomes* the decision made at the fifth session of the Conference of the States Parties to the United Nations Convention against Corruption to renew the mandate of open-ended intergovernmental expert meetings on international cooperation to advise and assist States with regard to extradition and mutual legal assistance, notes with appreciation the Stolen Assets Recovery Initiative of the World

Bank Group and the United Nations Office on Drugs and Crime, and encourages coordination among existing initiatives;

9. *Calls upon* States to consider establishing an intergovernmental working group on the negative impact of illicit financial flows on the enjoyment of human rights, and to further explore policy responses to the phenomenon;

10. *Realizes* that, while illicit financial outflows from the least developed countries may account for only a small portion of all outflows of funds of illicit origin worldwide, they have a particularly negative impact on social development and the realization of social, economic and cultural rights in these countries, given the size of their economies, and expresses deep concern that such outflows, as estimated by the United Nations Development Programme, exceed the total official development assistance received by many of the least developed countries and, in some cases, surpass their debt service payments;

11. *Underscores* that the repatriation of funds of illicit origin would provide States that have undergone regime change with a further opportunity to improve the realization of economic, social and cultural rights and to fulfil their obligation to meet the legitimate aspirations of their peoples;

12. *Acknowledges* the important role that civil society can play in exposing corruption and drawing attention to the negative impact of the non-repatriation of funds of illicit origin on the rule of law and the realization of economic, social and cultural rights, and reiterates in this context the obligation of States to protect reporting persons in accordance with article 33 of the United Nations Convention against Corruption and the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms;

13. *Welcomes* recent national initiatives to adopt anti-money-laundering legislation as an important step in the fight against corruption and the willingness demonstrated by some States to cooperate in facilitating the repatriation of funds of illicit origin, and calls for more robust regulations in this regard, including through the implementation of policies aimed at reducing the flow of funds of illicit origin, ensuring their repatriation and the provision of technical assistance to developing countries;

14. *Calls for* further international cooperation through, inter alia, the United Nations system, in support of national, subregional and regional efforts to prevent and combat corrupt practices and the transfer of assets of illicit origin, in accordance with the principles of the United Nations Convention against Corruption, and in this regard encourages close cooperation at the national and international levels between anti-corruption agencies, law enforcement agencies and financial intelligence units;

15. *Calls upon* all States requested to repatriate funds of illicit origin to uphold fully their commitment to make the fight against corruption a priority at all levels and to curb the illicit transfer of funds, and to acknowledge that, in fulfilling their obligations in this regard under the United Nations Convention against Corruption, they also have a responsibility towards societies affected by corruption to make every effort to achieve the repatriation of funds of illicit origin to the countries of origin in order to diminish the negative impact of non-repatriation, including on the enjoyment of human rights, in particular economic, social and cultural rights in the countries of origin by, inter alia, lowering the barriers imposed on requiring jurisdictions at the tracing stage and enhancing cooperation in this regard between anti-corruption agencies, law enforcement agencies and financial intelligence units, in particular taking into account the risks of dissipation of those funds and, where appropriate, by

delinking confiscation measures from a requirement of conviction in the country of origin;

16. *Calls upon* all States requesting the repatriation of funds of illicit origin to uphold fully their commitment to make the fight against corruption a priority at all levels and to curb the illicit transfer of funds, and to apply the principles of accountability, transparency and participation in the decision-making process regarding the allocation of repatriated funds to the realization of economic, social and cultural rights in order to improve prevention and detection procedures, correct identified weaknesses or mismanagement, prevent impunity, provide effective remedies directed at creating conditions for avoiding new human rights violations and improve the overall administration of justice;

17. *Reaffirms* that it is the obligation of the State to investigate and prosecute corruption, calls upon all States to strengthen criminal proceedings directed at freezing or restraining funds of illicit origin, and encourages requesting States to ensure that adequate national investigative procedures have been initiated and substantiated for the purpose of presenting mutual legal assistance requests, and in this context encourages requested States to provide information on legal frameworks and procedures to the requesting State and to remove barriers to asset recovery, including by simplifying their legal procedures;

18. *Underlines* that there is also a corporate responsibility to comply with and respect all applicable laws and human rights, and a need for greater access to effective remedies by victims in order to realize effective prevention of, and remedy for, business-related human rights harm, as set out in the Guiding Principles on Business and Human Rights;[30]

19. *Encourages* all States to share best practices and practical experiences in the freezing and recovery of funds of illicit origin;

20. *Calls upon* requesting and requested States with practical experience in asset recovery to develop, as appropriate, in cooperation with interested States and providers of technical assistance, non-binding practical guidelines, such as a step-by-step guide for efficient asset recovery, with a view to enhancing effective approaches to asset recovery based on the lessons learned from past cases, while being mindful to seek to add value by building upon existing work in this area;

21. *Stresses* the need for transparency in financial institutions and effective due diligence measures to be applied by financial intermediaries, calls upon States to seek appropriate means in accordance with their international obligations to ensure the cooperation and responsiveness of financial institutions to foreign requests to freeze and recover funds of illicit origin and the provision of an efficient mutual legal assistance regime to States requesting repatriation of those funds, and encourages the promotion of human and institutional capacity-building in that regard;

22. *Recalls* the importance of the mechanism for the review of implementation of the United Nations Convention against Corruption, and urges State parties to comply with their obligations in the conduct of country reviews to enhance effective implementation of the Convention as a preventive measure for the outflow of illicit financial flows;

23. *Requests* the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, to continue to consider the impact of illicit financial flows on the enjoyment of human rights as part of the mandate;

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[30] A/HRC/17/31, annex.

24. *Also requests* the Independent Expert to convene an experts meeting, with the participation of States and other stakeholders, on the issue of the negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights, to include the outcome of that meeting in a study that he will present to the Human Rights Council at its thirty-first session, and to participate in the third International Conference on Financing for Development to highlight the links between illicit financial flows, development financing and human rights;

25. *Requests* the United Nations High Commissioner for Human Rights to provide all assistance and financial resources necessary to allow the Independent Expert to carry out the mandate set out in the present resolution, and calls upon all relevant stakeholders, including States and United Nations bodies and agencies, and other international and regional entities to cooperate fully with the Independent Expert in this regard;

26. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States and different forums dealing with the issue of the repatriation of funds of illicit origin within the United Nations system for consideration and necessary action and coordination as appropriate, particularly within the context of the Conference of the States Parties to the United Nations Convention against Corruption;

27. *Decides* to continue its consideration of this matter under the same agenda item.

55th meeting
26 March 2015

[Adopted by a recorded vote of 33 to 2, with 12 abstentions. The voting was as follows:

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, Gabon, Ghana, India, Indonesia, Kazakhstan, Kenya, Maldives, Mexico, Morocco, Namibia, Nigeria, Pakistan, Paraguay, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

Japan, United States of America

Abstaining:

Albania, Estonia, France, Germany, Ireland, Latvia, Montenegro, Netherlands, Portugal, Republic of Korea, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland]

28/6. Independent Expert on the enjoyment of human rights by persons with albinism

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the Universal Declaration of Human Rights, and recalling relevant international human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of Persons with Disabilities, the

Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child,

Reaffirming that everyone has the right to life, liberty and security of person and that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with albinism to be guaranteed the full enjoyment of their rights and freedoms without discrimination,

Deeply concerned that, in various parts of the world, persons with albinism continue to face barriers to their participation as equal members of society and violations and abuse of their human rights, and conscious that greater attention is needed to address these challenges,

Recalling its resolutions 5/1 on institution-building of the Human Rights Council, and 5/2 on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Reaffirming the Vienna Declaration and Programme of Action,

Recalling the rights of everyone to the highest attainable standard of physical and mental health and education as enshrined in the International Covenant on Economic, Social and Cultural Rights and other relevant international human rights treaties,

Recalling also its resolutions 23/13 of 13 June 2013 on attacks and discrimination against persons with albinism, 24/33 of 27 September 2013 on technical cooperation for the prevention of attacks against persons with albinism, and 26/10 of 26 June 2014 on International Albinism Awareness Day,

Recalling further General Assembly resolution 69/170 of 18 December 2014 in which the Assembly decided to proclaim 13 June as International Albinism Awareness Day, with effect from 2015,

Taking note of the preliminary report on persons with albinism submitted by the Office of the United Nations High Commissioner for Human Rights to the Human Rights Council at its twenty-fourth session,[31]

Expressing grave concern at the attacks and widespread violations against persons with albinism, including women and children, persons with disabilities and the elderly,

Welcoming all the initiatives and actions taken by all countries to address and combat all forms of violence and discrimination against persons with albinism,

Calling upon States to ensure accountability through the conduct of impartial, speedy and effective investigations into attacks against persons with albinism falling within their jurisdiction, and to bring to justice those responsible and to ensure that victims and family members have access to appropriate remedies,

Acknowledging the report of the Office of the High Commissioner[31] and its call to strengthen international, regional and bilateral cooperation and to undertake activities aimed at supporting measures to prevent and combat discrimination and violence against persons with albinism and assist victims and their family members,

Acknowledging also the report of the Human Rights Council Advisory Committee on the study of the situation of human rights of persons living with albinism [32] and the recommendations therein, including to establish a special procedures mechanism,

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[31] A/HRC/24/57.

1. *Reaffirms* the obligation of States to take all appropriate measures to eliminate violence and discrimination against persons with albinism, and to promote and protect their human rights and fundamental freedoms;

2. *Decides* to appoint, for a period of three years, an Independent Expert on the enjoyment of human rights by persons with albinism, with the following mandate:

(*a*) To engage in dialogue and consult with States and other relevant stakeholders, including United Nations agencies, programmes and funds, regional human rights mechanisms, national human rights institutions, the private sector and donors;

(*b*) To identify, exchange and promote good practices relating to the realization of the rights of persons with albinism and their participation as equal members of society;

(*c*) To promote and report on developments towards and the challenges and obstacles to the realization of the enjoyment of human rights by persons with albinism in all regions of the world, and to make recommendations to the Human Rights Council in this regard;

(*d*) To gather, request, receive and exchange information and communications from and with States and other relevant sources, including persons with albinism and their representative organizations and other civil society organizations, on violations of the rights of persons with albinism;

(*e*) To conduct, facilitate and support the provision of advisory services, technical assistance, capacity-building and international cooperation in support of national efforts for the effective realization of the rights of persons with albinism and to prevent violence;

(*f*) To raise awareness on the rights of persons with albinism and to combat stereotypes, prejudices and harmful traditional practices and beliefs that hinder their enjoyment of human rights and participation in society on an equal basis with others;

(*g*) To promote awareness of their positive contributions and to inform persons with albinism about their rights;

(*h*) To report to the Human Rights Council, starting from its thirty-first session, and to the General Assembly;

3. *Requests* the Independent Expert to integrate a gender perspective throughout the work of the mandate and to pay specific attention to the challenges and needs of women and girls to address the multiple, intersecting and aggravated forms of discrimination faced by women and girls with albinism;

4. *Calls upon* all States to cooperate with the Independent Expert in the discharge of the mandate, including by providing all information requested, to give serious consideration to responding favourably to the requests of the Independent Expert to visit their countries and to consider implementing the recommendations made in the mandate holder's reports;

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[32] A/HRC/28/75.

5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Independent Expert with all the human, technical and financial resources necessary for the effective fulfilment of the mandate.

55th meeting
26 March 2015

[Adopted without a vote.]

28/7. Renewal of the mandate of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling General Assembly resolution 60/251 of 15 March 2006, and Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders, of 18 June 2007,

Recalling also all previous resolutions adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination,

Recalling further its resolution 15/26 of 1 October 2010 establishing the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies,

Bearing in mind that the open-ended intergovernmental working group will present its recommendations to the Human Rights Council at its thirtieth session,

1. *Decides* to extend the mandate of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies for a further period of two and a half years in order for it to undertake and fulfil its mandate, as contained in Human Rights Council resolution 22/33 of 22 March 2013;

2. *Affirms* the importance of providing the open-ended intergovernmental working group with the expertise and expert advice necessary to fulfil its mandate, and in this context decides that the working group shall invite experts and all relevant stakeholders to participate in its work, including members of the Working Group on the use of mercenaries as a means of violating human rights and impeding the right of peoples to self-determination;

3. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the open-ended intergovernmental working group with all the financial and human resources necessary for the fulfilment of its mandate.

55th meeting
26 March 2015

[Adopted by a recorded vote of 32 to 13, with 2 abstentions. The voting was as follows:

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, Gabon, Ghana, India, Indonesia, Kenya, Maldives, Mexico, Morocco, Namibia, Nigeria, Pakistan, Paraguay, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

Albania, Estonia, France, Germany, Ireland, Japan, Latvia, Montenegro, Netherlands, Portugal, Republic of Korea, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland

Abstaining:

Kazakhstan, United States of America]

28/8. The effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the Vienna Declaration and Programme of Action and other relevant international human rights instruments,

Reaffirming all resolutions and decisions adopted by the Commission on Human Rights and the Human Rights Council on the effects of structural adjustment and economic reform policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights, the latest being Council resolution 25/16 of 15 April 2014,

Reaffirming also its resolutions 25/9 of 27 March 2014 and 27/30 of 26 September 2014,

Reaffirming further its resolution S-10/1 of 23 February 2009 on the impact of the global economic and financial crises on the universal realization and effective enjoyment of human rights,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Stressing that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character,

Emphasizing that the World Conference on Human Rights agreed to call upon the international community to make all efforts to help to alleviate the external debt burden of developing countries in order to supplement the efforts of the Governments of such countries to attain the full realization of the economic, social and cultural rights of their people,

Stressing the determination expressed in the United Nations Millennium Declaration to deal comprehensively and effectively with the debt problems of low- and middle-income developing countries through various national and international measures designed to make their debt sustainable in the long term, *Mindful* of the role, mandate and activities of other United Nations agencies, funds and programmes in dealing with the issues of foreign debt and international financial obligations,

Noting the concern expressed in the declaration that heads of State and Government of the Group of 77 and China issued on the occasion of the summit entitled "For a New World Order for Living Well", held in Santa Cruz de la Sierra, Plurinational State of Bolivia, on 14 and 15 June 2014,[33] that reiterates the importance of not allowing vulture funds to paralyse the debt restructuring efforts of developing countries, and that these funds should not supersede the State's right to protect its people under international law,

Acknowledging that there is greater acceptance that the increasing debt burden faced by the most indebted developing countries, in particular the least developed countries, is unsustainable and constitutes one of the principal obstacles to achieving progress in people-centred sustainable development and poverty eradication and that, for many developing countries and countries with economies in transition, excessive debt servicing has severely constrained their capacity to promote social development and to provide basic services to create the conditions for the realization of economic, social and cultural rights,

Expressing its concern that, despite repeated rescheduling of debt, developing countries continue to pay out more each year than the actual amount they receive in official development assistance,

Recognizing the sovereign right of any State to restructure its sovereign debt, which should not be frustrated or impeded by any measure emanating from another State,

Expressing its concern about the voluntary nature of international debt relief schemes, which has created opportunities for vulture funds to acquire defaulted sovereign debt at vastly reduced prices and then seek repayment of the full value of the debt through litigation, seizure of assets or political pressure,

Recalling General Assembly resolution 68/304 of 9 September 2014, in which the Assembly decided to elaborate and adopt a multilateral legal framework for sovereign debt restructuring processes with a view to, inter alia, increasing the efficiency, stability and predictability of the international financial system and achieving sustained, inclusive and equitable economic growth and sustainable development, in accordance with national circumstances and priorities, and recalling also Assembly resolution 69/247 of 29 December 2014, in which the Assembly decided to establish an ad hoc committee to elaborate through a process of intergovernmental negotiations such a multilateral legal framework,

Affirming that debt burden further complicates the numerous problems facing developing countries, contributes to extreme poverty and is an obstacle to sustainable human development, and is thus a serious impediment to the realization of all human rights, in particular the right to development,

1. *Takes note* of the report of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights,[34] and welcomes the work and contributions of the Independent Expert;

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[33] See A/68/948, annex.

[34] A/HRC/28/59.

2. *Recalls* the endorsement of the Human Rights Council, in its resolution 20/10 of 5 July 2012, of the guiding principles on foreign debt and human rights;[35]

3. *Reiterates* its encouragement to all Governments, relevant United Nations agencies, funds and programmes and the private sector to take into consideration the guiding principles when designing policies and programmes;

4. *Recalls* that every State has the primary responsibility to promote the economic, social and cultural development of its people and, to that end, has the right and responsibility to choose its means and goals of development and should not be subject to external specific prescriptions for economic policy;

5. *Recognizes* that structural adjustment reform programmes and policy conditionalities limit public expenditure, impose fixed expenditure ceilings and give inadequate attention to the provision of social services, and that only a few countries manage to achieve sustainable higher growth under these programmes;

6. *Reaffirms* the fact that responses to the global financial and economic crises should not result in a decrease in debt relief, nor should they be used as an excuse to stop debt relief measures, as that would have negative implications for the enjoyment of human rights in affected countries;

7. *Expresses its concern* that the level of implementation and the reduction of overall debt stock under the enhanced Heavily Indebted Poor Countries Initiative are still low, and that the Initiative is not intended to offer a comprehensive solution to the long-term debt burden;

8. *Reiterates its conviction* that, for heavily indebted poor countries to achieve debt sustainability, long-term growth and poverty reduction goals, the debt relief under the above-mentioned initiative will not be sufficient and that additional resource transfers, in the form of grants and concessional loans and the removal of trade barriers and better prices for their exports, would be required to ensure sustainability and permanent exit from debt overhang;

9. *Regrets* the absence of mechanisms to find appropriate solutions to the unsustainable foreign debt burden of low- and middle-income heavily indebted countries, and that, to date, little headway has been made in redressing the unfairness of the current system of debt resolution, which continues to place the interests of the lenders above those of indebted countries and the poor in those countries, and therefore calls for an intensification of efforts to devise effective and equitable mechanisms to cancel or reduce substantially the foreign debt burden of all developing countries, in particular those severely affected by the devastation of natural disasters, such as tsunamis and hurricanes, and by armed conflicts;

10. *Condemns* the activities of vulture funds for the direct negative effect that the debt repayment to those funds, under predatory conditions, has on the capacity of Governments to fulfil their human rights obligations, particularly economic, social and cultural rights and the right to development;

11. *Affirms* that, from a human rights perspective, the existence of vulture funds has a direct negative effect on the capacity of Governments to fulfil their human rights obligations, especially with regard to economic, social and cultural rights;

12. *Reaffirms* in this context that the activities of vulture funds highlight some of the problems in the global financial system and are indicative of the unjust nature of the current system, which directly affects the enjoyment of human rights in debtor States, and calls upon States to consider implementing legal frameworks to curtail predatory vulture fund activities within their jurisdictions;

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[35] A/HRC/20/23, annex.

13. *Acknowledges* that, in least developed countries and in several low- and middle-income countries, unsustainable levels of external debt continue to create a considerable barrier to economic and social development and increase the risk that the Millennium Development Goals for development and poverty reduction will not be attained;

14. *Recognizes* that debt relief can play a key role in liberating resources that should be directed towards activities consistent with attaining sustainable growth and development, including poverty reduction and the achievement of the development goals, including those set out in the United Nations Millennium Declaration, and therefore that debt relief measures, where appropriate, should be pursued vigorously and expeditiously, ensuring that they do not replace alternative sources of financing and that they are accompanied by an increase in official development assistance;

15. *Recalls once again* the call on industrialized countries, as expressed in the Millennium Declaration, to implement the enhanced programme of debt relief without further delay and to agree to cancel all official bilateral debts of those countries in return for their making demonstrable commitments to poverty reduction;

16. *Urges* the international community, including the United Nations system, the Bretton Woods institutions and the private sector, to take appropriate measures and actions for the implementation of the pledges, commitments, agreements and decisions of major United Nations conferences and summits, including the Millennium Summit, the World Conference on Human Rights, the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the World Conference on Sustainable Development and the International Conference on Financing for Development, in particular those relating to the question of the external debt problem of developing countries, in particular of heavily indebted poor countries, least developed countries and countries with economies in transition;

17. *Recalls* the pledge contained in the Political Declaration annexed to General Assembly resolution S-24/2, adopted on 1 July 2000 by the Assembly, to find effective, equitable, development-oriented and durable solutions to the external debt and debt-servicing burdens of developing countries;

18. *Stresses* the need for the economic reform programmes arising from foreign debt to be country-driven and for any negotiations and conclusion of debt relief and new loan agreements to be formulated with public knowledge and transparency, with legislative frameworks, institutional arrangements and mechanisms for consultation being established to ensure the effective participation of all components of society, including people's legislative bodies and human rights institutions, and particularly of the most vulnerable or disadvantaged, in the design, application and evaluation of strategies, policies and programmes, as well as in the follow-up to and systematic national supervision of their implementation, and for macroeconomic and financial policy issues to be integrated, on an equal footing and in a consistent way, in the realization of broader social development goals, taking into account the national context and the priorities and needs of the debtor countries to allocate resources in a way that ensures balanced development conducive to the overall realization of human rights;

19. *Also stresses* that the economic reform programmes arising from foreign debt should maximize the policy space of developing countries in pursuing their national development efforts, taking into account the views of relevant stakeholders in a way that ensures balanced development conducive to the overall realization of all human rights;

20. *Further stresses* that the economic programmes arising from foreign debt relief and cancellation must not reproduce past structural adjustment policies that have not worked, such as dogmatic demands for privatization and reduced public services;

21. *Calls upon* States, the International Monetary Fund and the World Bank to continue to cooperate closely to ensure that additional resources made available through the Heavily Indebted Poor Countries Initiative, the Global Fund to Fight AIDS, Tuberculosis and Malaria and other new initiatives are absorbed in the recipient countries without affecting ongoing programmes;

22. *Calls upon* creditors, particularly international financial institutions, and debtors alike to consider the preparation of human rights impact assessments with regard to development projects, loan agreements or poverty reduction strategy papers;

23. *Reaffirms* the fact that the exercise of the basic rights of the people of debtor countries to food, housing, clothing, employment, education, health services and a healthy environment cannot be subordinated to the implementation of structural adjustment policies, growth programmes and economic reforms arising from the debt;

24. *Urges* States, international financial institutions and the private sector to take urgent measures to alleviate the debt problem of those developing countries particularly affected by HIV/AIDS so that more financial resources may be released and used for health care, research and treatment of the population in the affected countries;

25. *Reiterates* its view that, in order to find a durable solution to the debt problem and for the consideration of any new debt resolution mechanism, there is a need for a broad political dialogue between creditor and debtor countries and the multilateral financial institutions, within the United Nations system, based on the principle of shared interests and responsibilities;

26. *Encourages* all States to participate in the negotiations aimed at establishing a multilateral legal framework for sovereign debt restructuring processes, as referred to by the General Assembly in its resolution 68/304, and invites States participating in the negotiations to ensure that such a multilateral legal framework will be compatible with existing international human rights obligations and standards;

27. *Reiterates* its request to the United Nations High Commissioner for Human Rights to pay more attention to the problem of the debt burden of developing countries, in particular of least developed countries, and especially the social impact of the measures arising from foreign debt;

28. *Requests* the Independent Expert to continue to explore the interlinkages with trade and other issues, including HIV/AIDS, when examining the impact of structural adjustment and foreign debt, and also to contribute, as appropriate, to the process entrusted with the follow-up to the International Conference on Financing for Development with a view to bringing to its attention the issue of the effects of structural adjustment and foreign debt on the enjoyment of human rights, particularly economic, social and cultural rights;

29. *Encourages* the Independent Expert to continue to cooperate, in accordance with his mandate, with the Committee on Economic, Social and Cultural Rights, special rapporteurs, independent experts and members of the expert working groups of the Human Rights Council and its Advisory Committee on issues relating to economic, social and cultural rights and the right to development in his work;

30. *Requests* the Independent Expert to report to the General Assembly on the issue of the effects of foreign debt and other related international financial obligations

of States on the full enjoyment of all human rights, particularly economic, social and cultural rights;

31. *Requests* the Secretary-General to provide the Independent Expert with all necessary assistance, in particular all the staff and resources required to carry out his functions;

32. *Urges* Governments, international organizations, international financial institutions, non-governmental organizations and the private sector to cooperate fully with the Independent Expert in the discharge of the mandate;

33. *Requests* the Independent Expert to submit a report on the implementation of the present resolution to the Human Rights Council at its thirty-first session;

34. *Decides* to continue its consideration of this matter at its thirty-first session under the same agenda item.

55th meeting
26 March 2015

[Adopted by a recorded vote of 31 to 14, with 1 abstention.* The voting was as follows:

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, Ghana, India, Indonesia, Kazakhstan, Kenya, Maldives, Morocco, Namibia, Nigeria, Pakistan, Paraguay, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

Albania, Estonia, France, Germany, Ireland, Japan, Latvia, Montenegro, Netherlands, Portugal, Republic of Korea, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Mexico]

28/9. Mandate of the Special Rapporteur in the field of cultural rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Vienna Declaration and Programme of Action and all other relevant human rights instruments,

Recalling also all relevant resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, including Assembly resolutions 64/81 of 7 December 2009 and 64/174 of 18 December 2009, and Council resolutions 10/23 of 26 March 2009, 14/9 of 18 June 2010, 17/15 of 17 June 2011, 19/6 of 22 March 2012, 20/11 of 5 July 2012, 23/10 of 13 June 2013 and 25/19 of 28 March 2014,

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* Gabon did not cast a vote. The delegation of Gabon subsequently stated that it had intended to vote in favour of the draft text.

Noting the declarations within the United Nations system on cultural diversity and international cultural cooperation, in particular the Declaration of the Principles of International Cultural Cooperation and the Universal Declaration on Cultural Diversity, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization in 1966 and 2001, respectively,

Recalling its resolutions 5/1, on institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that all mandate holders shall discharge their duties in accordance with those resolutions and annexes thereto,

Welcoming the increasing number of States parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 20 October 2005 and that entered into force on 18 March 2007,

Convinced that international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all should be based on an understanding of the economic, social and cultural specificities of each country and the full realization and recognition of the universality of all human rights and the principles of freedom, justice, equality and non-discrimination,

Recognizing that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind,

Determined to treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

1. *Reaffirms* that cultural rights are an integral part of human rights, which are universal, indivisible, interrelated and interdependent;

2. *Recognizes* the right of everyone to take part in cultural life and to enjoy the benefits of scientific progress and its applications;

3. *Reaffirms* that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

4. *Recalls* that, as expressed in the Universal Declaration on Cultural Diversity, no one may invoke cultural diversity to infringe upon human rights guaranteed by international law, nor to limit their scope;

5. *Reaffirms* that States have the responsibility to promote and protect cultural rights, and that these rights should be guaranteed for all, without discrimination;

6. *Recognizes* that respect for the cultural diversity and cultural rights of all enhances cultural pluralism, contributing to a wider exchange of knowledge and understanding of cultural heritage and background, advancing the application and enjoyment of human rights throughout the world and fostering stable, friendly relations among peoples and nations worldwide;

7. *Also recognizes* that respect for cultural rights is essential for development, peace and the eradication of poverty, building social cohesion and the promotion of mutual respect, tolerance and understanding between individuals and groups, in all their diversity;

8. *Emphasizes* that the universal promotion and protection of human rights, including cultural rights, and respect for cultural diversity should reinforce each other;

9. *Welcomes* the work and contributions of the Special Rapporteur in the field of cultural rights, and takes note with appreciation of her latest reports submitted to the Human Rights Council;

10. *Decides* to extend, for a period of three years, the mandate of the Special Rapporteur in the field of cultural rights, to enable the mandate holder to continue to work in accordance with the mandate established by the Human Rights Council in its resolution 19/6;

11. *Calls upon* all Governments to cooperate with and to assist the Special Rapporteur in the discharge of the mandate, to provide the mandate holder with all the necessary information requested by him or her and to give serious consideration to responding favourably to the requests of the mandate holder to visit their countries in order to enable him or her to fulfil his or her duties effectively;

12. *Requests* the United High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate by the Special Rapporteur;

13. *Requests* the Special Rapporteur to report regularly to the Human Rights Council and the General Assembly in accordance with their respective programmes of work;

14. *Decides* to continue its consideration of this matter under the same agenda item in accordance with its programme of work.

55th meeting
26 March 2015

[Adopted without a vote.]

28/10. The right to food

The Human Rights Council,

Recalling all previous resolutions of the General Assembly and the Human Rights Council on the right to food, as well as all resolutions of the Commission on Human Rights on the issue,

Recalling also the seventh special session of the Human Rights Council, at which the Council analysed the negative impact of the worsening of the world food crisis on the realization of the right to food for all, and Council resolutions S-7/1 of 22 May 2008, 9/6 of 18 September 2008 and 12/10 of 1 October 2009,

Recalling further the Universal Declaration of Human Rights, which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition and the United Nations Millennium Declaration, in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015,

Recalling the provisions of the International Covenant on Economic, Social and Cultural Rights, in which the right of everyone to adequate food, including the fundamental right of every person to be free from hunger, is recognized,

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action, adopted at the World Food Summit in November 1996, the Declaration of the World Food Summit: five years later, adopted on 13 June 2002, the Declaration of the World Summit on Food Security, adopted on 16 November 2009, and the Marrakesh Ministerial Decision on Measures Concerning the Possible

Negative Effects of the Reform Programme on Least Developed and Net Food-importing Countries, adopted on 15 April 1994,

Reaffirming the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,

Acknowledging that the right to food is the right of every individual, alone or in community with others, to have physical and economic access at all times to sufficient, adequate and culturally acceptable food that is produced and consumed sustainably, preserving access to food for future generations,

Reaffirming the Five Rome Principles for Sustainable Global Food Security contained in the Declaration of the World Summit on Food Security,

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated, and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming further that a peaceful, stable and enabling political, social and economic environment, at both the national and international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as in the Rome Declaration on World Food Security and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies, where coordinated efforts and shared responsibilities are essential,

Reaffirming that food security is a national responsibility and that any plan for addressing food security challenges must be nationally articulated, designed, owned and led, and built on consultation with all key stakeholders, and recognizing the commitment to strengthening the multilateral system in the channelling of resources and in the promotion of policies dedicated to fighting hunger and malnutrition,

Recognizing that, despite the efforts made, the problems of hunger, food insecurity and malnutrition have a global dimension and that there has been insufficient progress made in reducing hunger, and that they could increase dramatically in some regions unless urgent, determined and concerted action is taken,

Recognizing also the complex character of the global food crisis, in which the right to food is threatened to be violated on a substantial scale, as a combination of several major factors, such as the global financial and economic crisis, environmental degradation, desertification and the impact of global climate change, as well as natural disasters and the lack of development in many countries and transfer of relevant technology to address this issue, particularly in developing countries, least developed countries and small island and vulnerable developing States, that are having a negative impact on the realization of the right to food, in particular in the said countries, *Convinced* that the elimination of the current distortions in the agricultural trading system will allow local producers and poor farmers to compete and to sell their products, thereby facilitating the realization of the right to adequate food,

Resolved to act to ensure that the full realization of all human rights, including the right to development, is taken into account at the national, regional and international levels in addressing the global food crisis,

Recognizing the importance and positive role of smallholder and subsistence farmers, including women farmers, young farmers, family farmers and farmers in less favoured areas, cooperatives and indigenous and local communities in developing countries,

Expressing its deep concern at the number and scale of natural disasters, diseases and pests and their increasing impact in recent years, which have resulted in massive loss of life and livelihood and threatened agricultural production and food security, in particular in developing countries,

Stressing the need to increase official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

Recognizing the need to increase sustainable private and public investments in agriculture from all relevant sources for the realization of the right to food,

Recalling the endorsement of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security by the Committee on World Food Security at its thirty-eighth session, held on 11 May 2012, and by the Council of the Food and Agriculture Organization of the United Nations at its 144th session,

Recalling also the Principles for Responsible Investment in Agriculture and Food Systems, which were transmitted to the governing bodies of the Food and Agriculture Organization of the United Nations for consideration by the Committee on World Food Security at its forty-first session, held in October 2014,

Recalling further the tenth anniversary in 2014 of the adoption of the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security and the reaffirmation by the Committee on Food Security at its forty-first session of the commitment to implement the Guidelines and to strive for the realization of the right to adequate food for all in the years to come,

Stressing the importance of the second International Conference on Nutrition, hosted by the World Health Organization and the Food and Agriculture Organization of the United Nations in Rome from 19 to 21 November 2014, at which the two main outcome documents, namely, the Rome Declaration on Nutrition and the Framework for Action, were endorsed, committing States to eradicate hunger and to prevent all forms of malnutrition worldwide, particularly undernourishment, through national and international actions,

Recognizing the importance of the protection and preservation of agrobiodiversity in guaranteeing food security and the right to food for all,

Recognizing also the role of the Food and Agriculture Organization of the United Nations as the key United Nations agency for rural and agricultural development and its work in supporting the efforts of Member States to achieve the full realization of the right to food, including through its provision of technical assistance to developing countries in support of the implementation of national priority frameworks, *Recalling* the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", endorsed by the General Assembly in its resolution 66/288 on 27 July 2012, and reaffirming the principles contained therein,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Considers* it intolerable that, as estimated by the United Nations Children's Fund, more than one third of the children who die every year before the age of 5 die from hunger-related illness, and that, as estimated by the Food and Agriculture Organization of the United Nations, about 805 million people worldwide suffer from chronic hunger, including as one of the effects derived from the global food crisis, while, according to the latter organization, the planet could produce enough food to feed everyone around the world;

4. *Expresses its deep concern* that, according to the report of the Food and Agriculture Organization of the United Nations entitled The State of Food Insecurity in the World 2013, the number of hungry people in the world remains unacceptably high and the vast majority of hungry people live in developing countries;

5. *Expresses its concern* at the fact that the effects of the world food crisis continue to have serious consequences for the poorest and most vulnerable people, particularly in developing countries, which have been further aggravated by the world financial and economic crisis, and at the particular effects of this crisis on many net food-importing developing countries, especially on least developed countries;

6. *Also expresses its concern* that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries girls are twice as likely as boys to die from malnutrition and preventable childhood diseases, and that it is estimated that almost twice as many women as men suffer from malnutrition;

7. *Encourages* all States to take action to address de jure and de facto gender inequality and discrimination against women, in particular where they contribute to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and ensuring that women and girls have equal access to social protection and resources, including income, land and water and their ownership, as well as full and equal access to health care, education, science and technology, to enable them to feed themselves and their families, and in this regard stresses the need to empower women and to strengthen their role in decision-making;

8. *Recognizes* the importance of smallholder and subsistence farmers in developing countries, including women and local and indigenous communities, in ensuring food security, reducing poverty and preserving ecosystems, and the need to assist their development;

9. *Encourages* the Special Rapporteur on the right to food to continue to mainstream a gender perspective in the fulfilment of her mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms that address the right to food and food insecurity to integrate and effectively implement a gender perspective in their relevant policies, programmes and activities regarding access to food;

10. *Reaffirms* the need to ensure that programmes delivering safe, sufficient, nutritious and culturally accepted food are inclusive and accessible to persons with disabilities;

11. *Encourages* States to take steps with a view to progressively achieve the full realization of the right to food for all, and to take steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food and, where appropriate, to consider establishing appropriate institutional mechanisms and to adopt national plans to combat hunger;

12. *Underlines* the significance of national government policies and strategies in food production, poverty alleviation and social protection;

13. *Recognizes* the advances made through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food, and encourages States to increase such cooperation as a complement to North-South cooperation and to promote triangular cooperation further;

14. *Also recognizes* the importance of traditional sustainable agricultural practices, inter alia, traditional seed supply systems, including for many indigenous peoples and local communities;

15. *Stresses* that the primary responsibility of States is to promote and protect the right to food and that the international community should provide, through a coordinated response and upon request, international cooperation in support for national and regional efforts by providing the assistance necessary to increase food production and access to food, particularly through agricultural development assistance, the transfer of technology, food crop rehabilitation assistance and food aid ensuring food security, with special attention to the specific needs of women and girls, support for the development of adapted technologies, research on rural advisory services and support for access to financing services, and ensure support for the establishment of secure land tenure systems;

16. *Calls upon* States parties to the International Covenant on Economic, Social and Cultural Rights to fulfil their obligations under article 2, paragraph 1 and article 11, paragraph 2 thereof, in particular with regard to the right to adequate food;

17. *Calls upon* States, individually and through international cooperation and assistance, relevant multilateral institutions and other relevant stakeholders, to take all the measures necessary to ensure the realization of the right to food as an essential human rights objective, and to consider reviewing any policy or measure that could have a negative impact on the realization of the right to food, particularly the right of everyone to be free from hunger, before instituting such a policy or measure;

18. *Stresses* that improving access to productive resources and investment in rural development is essential for eradicating hunger and poverty, in particular in developing countries, through, inter alia, the promotion of investments in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts, as well as in programmes, practices and policies to scale up agroecological approaches;

19. *Recognizes* that 70 per cent of hungry people live in rural areas and 50 per cent are small-scale farm-holders, and that these people are especially vulnerable to food insecurity given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to achieve food security and rural

development; and that support by States for small farmers, fishing communities and local enterprises, including through the facilitation of access of their products to national and international markets and empowerment of small producers, particularly women, in value chains, is a key element for food security and the provision of the right to food;

20. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to the risk of drylands, and in this regard calls for the full implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;

21. *Recalls* the United Nations Declaration on the Rights of Indigenous Peoples, and acknowledges that many indigenous organizations and representatives of indigenous peoples have expressed in different forums their deep concern over the obstacles and challenges to the full enjoyment of the right to food that indigenous peoples face, and calls upon States to take special actions to combat the root causes of the often disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

22. *Welcomes* the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,[36] held on 22 and 23 September 2014, and the commitment to developing, in conjunction with the indigenous peoples concerned and where appropriate, policies, programmes and resources to support indigenous peoples' occupations, traditional subsistence activities, economies, livelihoods, food security and nutrition;

23. *Requests* all States and private actors, and international organizations and agencies within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in ongoing negotiations in different fields;

24. *Encourages* all relevant international organizations and agencies to bring a human rights perspective and the need for the realization of the right to food for all to their studies, research, reports and resolutions on the issue of food security;

25. *Recognizes* the need to strengthen national commitment and international assistance, upon the request of and in cooperation with affected countries, towards the full realization and protection of the right to food and, in particular, to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting the enjoyment of the right to food;

26. *Notes with appreciation* the growing movement, in different regions of the world, towards the adoption of framework laws, national strategies and measures in support of the full realization of the right to food for all;

27. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

28. *Encourages* States to consider developing their legal structures in order to protect resources directly related to the right to food, such as water resources, access to land and seed production;

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[36] General Assembly resolution 69/2.

29. *Calls for* the early conclusion to and a successful, development-oriented outcome of the Doha Round of trade negotiations of the World Trade Organization as a contribution to creating international conditions permitting the full realization of the right to food;

30. *Stresses* that all States should make every effort to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

31. *Encourages* the Special Rapporteur to continue to cooperate with States in order to enhance the contribution of development cooperation and food aid to the realization of the right to food, within existing mechanisms, taking into account the views of all stakeholders;

32. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty;

33. *Recognizes* that the commitments made at the World Food Summit in 1996 to halve the number of people who are undernourished are not being fulfilled, while recognizing the efforts of Member States in that regard, and urges all States and international financial and development institutions, as well as relevant United Nations agencies and funds, to give priority to and provide the necessary funding to realize the aim of halving by 2015 the number, or at least the proportion, of people who suffer from hunger, as stated in Millennium Development Goal 1, as well as the right to food, as set out in the Rome Declaration on World Food Security and the United Nations Millennium Declaration;

34. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive effort to improve public health, including the response to the spread of HIV/AIDS, tuberculosis, malaria and other diseases;

35. *Calls upon* all States and, where appropriate, relevant international organizations:

(*a*) To combat the different forms of malnutrition as a means to realize the right to adequate food, including, if appropriate, by adopting a national strategy in this regard;

(*b*) To take measures and support programmes that are aimed at combating the irreversible effects of chronic undernutrition in early childhood, in particular by targeting the first thousand days of a child's life;

(*c*) To support the national plans and programmes of States to improve nutrition in poor households, in particular plans and programmes that are aimed at combating undernutrition in mothers and children, and those targeting the irreversible effects of chronic undernutrition in early childhood, from gestation to the age of 2 years;

(*d*) To implement policies and programmes to reduce and eliminate preventable mortality and morbidity, as a result of malnutrition, of children under 5 years of age;

36. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

37. *Stresses* the importance of international cooperation and development assistance as an effective contribution to both the expansion and improvement of agriculture and its environmental sustainability, and the provision of humanitarian

food assistance in activities relating to emergency situations for the realization of the right to food and the achievement of sustainable food security, while recognizing that each State has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

38. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to promote such policies and projects that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on the realization of the right to food;

39. *Encourages* the Special Rapporteur on the right to food and the Working Group on the issue of human rights and transnational corporations and other business enterprises to cooperate on the subject of the contribution of the private sector to the realization of the right to food, including the importance of ensuring sustainable water resources for human consumption and agriculture;

40. *Encourages* the Special Rapporteur to continue her collaboration with relevant international organizations and United Nations agencies, programmes and funds, in particular the Rome-based ones, including the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development and the World Food Programme, in order to contribute to ensuring that the right to food is promoted further within these organizations, in accordance with their respective mandates, including for the advancement of smallholders and agricultural workers in both developing and least developed countries;

41. *Reaffirms* that all States should take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of available resources, with a view to achieving progressively the full realization of the right to food by all appropriate means, including particularly the adoption of legislative measures;

42. *Encourages* all States to consider developing awareness-raising campaigns to ensure that rights holders have access to information pertaining to the right to food and any obligation pertaining thereto;

43. *Underlines* the importance of effective remedies for violations of the right to food;

44. *Encourages* the Special Rapporteur, within her existing mandate, to explore, in consultation with Member States and relevant stakeholders, ways and means of raising the capacity of States, particularly developing countries, including least developed and net food-importing developing countries, to ensure the realization and protection of the right to adequate food for their populations, and to report on her findings to the Human Rights Council;

45. *Takes note with appreciation* of the report of the Special Rapporteur;[37]

46. *Supports* the fulfilment of the mandate of the Special Rapporteur, as established by the Human Rights Council in its resolution 6/2 of 27 September 2007;

47. *Requests* the Special Rapporteur, as part of the mandate, to continue to monitor the evolution of the world food crisis and, in the context of the mandate and regular reports, to keep the Human Rights Council informed of the impact of the crisis on the enjoyment of the right to food and to alert it to possible further actions in this regard;

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[37] A/HRC/28/65.

48. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources necessary for the continuation of the effective fulfilment of the mandate of the Special Rapporteur;

49. *Welcomes* the continued cooperation of the High Commissioner, the Advisory Committee and the Special Rapporteur, and encourages them to continue their cooperation;

50. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in her task by supplying all necessary information requested by the mandate holder and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable her to fulfil her mandate more effectively;

51. *Recalls* the request made by the General Assembly in its resolution 69/177 of 18 December 2014 that the Special Rapporteur submit to the Assembly an interim report at its seventieth session on the implementation of that resolution, and to continue her work, including by examining emerging issues with regard to the realization of the right to food within her existing mandate;

52. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies and civil society actors, including non-governmental organizations, and the private sector to cooperate fully with the Special Rapporteur in the fulfilment of her mandate through, inter alia, the submission of comments and suggestions on ways and means of realizing the right to food;

53. *Requests* the Special Rapporteur to submit a report on the implementation of the present resolution to the Human Rights Council at its thirty-first session;

54. *Decides* to continue consideration of this matter under the same agenda item at its thirty-first session.

55th meeting
26 March 2015

[Adopted without a vote.]

28/11. Human rights and the environment

The Human Rights Council,

Reaffirming its resolutions 16/11 of 24 March 2011, 19/10 of 22 March 2012 and 25/21 of 28 March 2014 on human rights and the environment, and relevant resolutions of the Commission on Human Rights,

Bearing in mind General Assembly resolutions 60/251 of 15 March 2006 and 65/281 of 17 June 2011, and Human Rights Council resolution 16/21 of 25 March 2011,

Recalling its resolutions 5/1 on institution-building of the Human Rights Council, and 5/2 on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling also the outcome of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, in June 2012, and its outcome document, "The future we want", which reaffirmed the principles of the Rio Declaration on Environment and Development, including principle 7, and aiming to contribute to follow-up processes, including the realization of sustainable development goals, *Recognizing* that human beings are at the centre of concerns for sustainable development, that the right to development must be fulfilled in order to meet the development and environmental needs of present and future generations equitably, and that the human person is the central subject of development and should be an active participant in and the beneficiary of the right to development,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Recognizing that sustainable development and the protection of the environment can contribute to human well-being and to the enjoyment of human rights,

Recognizing also, conversely, that climate change, the unsustainable management and use of natural resources and the unsound management of chemicals and waste may interfere with the enjoyment of a safe, clean, healthy and sustainable environment, and that environmental damage can have negative implications, both direct and indirect, for the effective enjoyment of all human rights,

Recognizing further that, while the human rights implications of environmental damage are felt by individuals and communities around the world, the consequences are felt most acutely by those segments of the population already in vulnerable situations,

1. *Welcomes* the work of the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, including the clarification of important aspects of the human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, the progress in compiling good practices, the comprehensive, transparent and inclusive consultations conducted with relevant and interested actors from all regions, and the undertaking of country missions;

2. *Also welcomes* the work of the Office of the United Nations High Commissioner for Human Rights on the issue of human rights and the environment;

3. *Takes note with appreciation* of the work undertaken by the United Nations Environment Programme in support of the mandate of the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment;

4. *Decides* to extend the mandate of the current mandate holder as a special rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment for a period of three years;

5. *Encourages* the Special Rapporteur, in fulfilling the mandate:

(*a*) To continue to study, in consultation with Governments, relevant international organizations and intergovernmental bodies, including the United Nations Environment Programme and the United Nations Development Programme, and relevant multilateral environment agreements, human rights mechanisms, local authorities, national human rights institutions, civil society organizations, including those representing indigenous peoples and other persons in vulnerable situations, the private sector and academic institutions, the human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment;

(*b*) To continue to identify, promote and exchange views on good practices relating to human rights obligations and commitments that inform, support and strengthen environmental policymaking, especially in the area of environmental protection, and in that regard to update and disseminate the compendium of good practices;

(*c*) To promote and report on the realization of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, and to disseminate his or her findings by, inter alia, continuing to give particular emphasis to practical solutions with regard to their implementation;

(*d*) To work on identifying challenges and obstacles to the full realization of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment and protection gaps thereto, including in the context of sustainable development;

(*e*) To continue to contribute to and participate in, where appropriate, intergovernmental conferences and meetings relevant to the mandate;

(*f*) To develop a dialogue, liaise and collaborate with all relevant stakeholders with a view to enhancing public awareness of the human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment;

(*g*) To apply a gender perspective by, inter alia, considering the particular situation of women and girls and identifying gender-specific discrimination and vulnerabilities;

(*h*) To work in close coordination, while avoiding unnecessary duplication, with other special procedures and subsidiary organs of the Human Rights Council, relevant United Nations bodies, agencies, funds and programmes, including the United Nations Environment Programme and the United Nations Development Programme, the treaty bodies and international and regional organizations, multilateral environmental agreements, taking into account the views of other stakeholders, including relevant regional human rights mechanisms, national human rights institutions, civil society organizations and academic institutions;

(*i*) To submit an annual report, including conclusions and recommendations, to the Council;

6. *Calls upon* all States, United Nations agencies, programmes and funds, other international organizations and non-governmental organizations, the private sector and national human rights institutions to cooperate fully with the Special Rapporteur, including by providing all necessary information related to the mandate to enable him or her to fulfil the mandate;

7. *Requests* the High Commissioner to ensure that the Special Rapporteur receives the resources necessary to enable him or her to discharge the mandate fully;

8. *Requests* the Special Rapporteur, in collaboration with the Office of the High Commissioner:

(*a*) To convene, prior to the thirty-first session of the Human Rights Council, an expert seminar on the effective implementation of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, challenges thereto and the way forward, on the basis of the findings of the mandate holder;

(*b*) To invite States and other relevant stakeholders, including academic experts and civil society organizations, to participate actively in the seminar;

(*c*) To invite relevant experts of the United Nations agencies, funds and programmes, and other international organizations to participate in the seminar;

(*d*) To submit to the Human Rights Council, at its thirty-first session, a summary report on the above-mentioned seminar, including any recommendations stemming therefrom, for consideration of further follow-up action;

9. *Requests* the Office of the High Commissioner to collaborate with United Nations programmes, agencies and funds, in particular the United Nations Environment Programme, with a view to facilitate the exchange of knowledge on human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment;

10. *Invites* States to consider the compilation of good practices contained in the report of the Independent Expert[18] when fulfilling their human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, and invites States to share good practices in this regard when reporting to the United Nations human rights system;

11. *Decides* to remain seized of the matter, in accordance with its annual programme of work.

55th meeting
26 March 2015

[Adopted without a vote.]

28/12. Question of the realization in all countries of economic, social and cultural rights

The Human Rights Council,

Guided by the principles of economic, social and cultural rights enshrined in international human rights instruments, including the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling that the Vienna Declaration and Programme of Action, the 2005 World Summit Outcome and General Assembly resolution 60/251 of 15 March 2006, in which the Assembly established the Human Rights Council, all affirm that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and must be treated in a fair and equal manner, on the same footing and with the same emphasis, and recalling also that the promotion and protection of one category of rights should never exempt States from the promotion and protection of the other rights,

Recalling also the United Nations Millennium Declaration, in which heads of State and Government affirmed their commitment to spare no effort to promote democracy and strengthen the rule of law and respect for all internationally recognized human rights and fundamental freedoms, including the right to development,

Recalling further its resolutions on the question of the realization in all countries of economic, social and cultural rights, and the resolutions adopted by the Commission on Human Rights on the same topic,

Reaffirming the obligations and commitments to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of available resources with a view to achieving progressively the full realization of economic, social and cultural rights by all appropriate means, including particularly the adoption of legislative measures,

Underlining the efforts made to achieve internationally agreed development goals, mindful that the unfinished work on the Millennium Development Goals should continue in the post-2015 development agenda, and recognizing the crucial importance of giving due consideration to economic, social and cultural rights in the elaboration of this agenda,

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[18] A/HRC/28/61

Underlining also the human rights principles of, inter alia, non-discrimination, human dignity, equity, equality, universality and participation, as affirmed in international human rights law and in the Vienna Declaration and Programme of Action, and emphasizing that the rights enunciated in the International Covenant on Economic, Social and Cultural Rights are to be realized in a non-discriminatory manner,

Recognizing that human rights and social protection floors complement each other, and that social protection floors, when used as a baseline, have the potential to facilitate the enjoyment of economic, social and cultural rights and to reduce poverty and inequality,

1. *Calls upon* all States to give full effect to economic, social and cultural rights by, inter alia, taking all appropriate measures to implement the Human Rights Council resolutions on the question of the realization in all countries of economic, social and cultural rights, the most recent of which is resolution 25/11 of 27 March 2014;

2. *Welcomes* the two latest ratifications of the International Covenant on Economic, Social and Cultural Rights, calls upon all States that have not yet signed and ratified the Covenant to consider doing so as a matter of priority, and calls upon States parties to consider reviewing their reservations thereto;

3. *Also welcomes* the six latest ratifications of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and encourages all States that have not yet signed and ratified the Optional Protocol to consider doing so, and also to consider making declarations under articles 10 and 11 thereof;

4. *Takes note with appreciation* of the report of the Secretary-General on the question of the realization in all countries of economic, social and cultural rights, with a special focus on the importance of social protection floors for the realization of economic, social and cultural rights,[39] submitted pursuant to Human Rights Council resolution 25/11, and of the conclusions contained therein;

5. *Recognizes* that social protection policies play a critical role in realizing economic, social and cultural rights for all, reducing poverty and inequality and supporting inclusive growth;

6. *Acknowledges* that social protection floors may facilitate the enjoyment of human rights, including the rights to social security, the highest attainable standard of physical and mental health, an adequate standard of living, including adequate food, clothing and housing, education and safe drinking water and sanitation, in accordance with the human rights obligations of States, and in this regard underlines the importance of compliance with the principles of non-discrimination, transparency, participation and accountability;

7. *Also acknowledges* that the establishment and implementation of social protection floors in accordance with the State's obligations to promote, protect and fulfil human rights may contribute to ensuring minimum essential levels and promoting the progressive realization of economic, social and cultural rights, gender equality and the protection of persons in a situation of vulnerability;

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[39] A/HRC/28/35.

8. *Encourages* States to put in place social protection floors as part of comprehensive social protection systems that will contribute to the enjoyment and realization of human rights;

9. *Underlines* the importance of an effective remedy for violations of economic, social and cultural rights, and in this regard takes note with appreciation of measures taken to facilitate access to complaints procedures and the domestic adjudication of cases, as appropriate, for victims of alleged human rights violations;

10. *Welcomes* the steps taken at the national level to implement economic, social and cultural rights, including the enactment of appropriate legislation and adjudication by national courts;

11. *Reiterates* that respect for and the promotion and protection of human rights are an integral part of effective work towards achieving internationally agreed development goals, and the importance of giving due consideration to equality, social protection and accountability in the context of the realization of economic, social and cultural rights in the elaboration of the post-2015 development agenda;

12. *Notes with interest* the work carried out by the Committee on Economic, Social and Cultural Rights to assist States parties in fulfilling their obligations, including through the submission of general comments, the consideration of periodic reports and, for States parties to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the examination of individual communications;

13. *Also notes with interest* the work of other relevant treaty bodies and special procedures in the promotion and protection of economic, social and cultural rights within their respective mandates;

14. *Encourages* enhanced cooperation and, as appropriate, increased coordination between the Committee on Economic, Social and Cultural Rights and United Nations bodies, specialized agencies and programmes, mechanisms of the Human Rights Council and other human rights treaty bodies whose activities have a bearing on economic, social and cultural rights in a manner that respects their distinctive mandates and promotes their policies, programmes and projects;

15. *Recognizes and encourages* the important contributions of regional organizations, national human rights institutions and civil society, including non-governmental organizations, academic and research institutions, business enterprises and trade unions to the question of the realization and enjoyment of economic, social and cultural rights, including training and information activities;

16. *Welcomes* the activities carried out by the Office of the United Nations High Commissioner for Human Rights on the promotion of economic, social and cultural rights, mainly through technical cooperation, the work of its field offices, its relevant reports to United Nations bodies, the development of in-house expertise, including on human rights indicators, and its publications, studies, training and information activities on related issues, including through new information technologies;

17. *Requests* the Secretary-General to continue to prepare and submit to the Human Rights Council an annual report on the question of the realization in all countries of economic, social and cultural rights under agenda item 3, with a special focus on a compilation of best practices adopted by States to measure progress in the realization of economic, social and cultural rights, including national indicators to advance the realization of such rights;

18. *Decides* to remain seized of this issue and to consider taking further action in order to implement the present resolution.

55th meeting
26 March 2015

[Adopted without a vote.]

28/13. Birth registration and the right of everyone to recognition everywhere as a person before the law

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the human right of everyone to be recognized everywhere as a person before the law, which is enshrined in, inter alia, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities and other relevant international instruments,

Recalling the obligation of States to register all children immediately after birth, without discrimination of any kind, as provided for in the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and other relevant international instruments to which they are party,

Recognizing the importance of a human rights-based approach to birth registration, based on international human rights obligations and commitments operationally directed to promoting and protecting human rights,

Welcoming the continuing efforts of the Committee on the Rights of the Child and other treaty-based bodies towards universal birth registration, such as through recommendations widely addressed to States in this regard,

Recalling the resolutions adopted by the General Assembly and the Human Rights Council in which they call upon States to ensure the registration of all children immediately after birth, and without discrimination of any kind, the most recent being Assembly resolution 69/157 of 18 December 2014 and Council resolution 22/7 of 21 March 2013,

Recognizing the importance of birth registration, including late birth registration and the provision of documents of proof of birth, as a means of providing an official record of the existence of a person and the recognition of that individual as a person before the law,

Expressing concern that unregistered individuals may have limited or no access to services and the enjoyment of all the rights to which they are entitled, and taking into consideration that registering a person's birth is a vital step towards the promotion and protection of all of his or her human rights, and that persons without birth registration are more vulnerable to marginalization, exclusion, discrimination, violence, statelessness, exploitation and abuse,

Recognizing that free birth registration and free or low-fee late birth registration are part of a comprehensive civil registration system that facilitates the development of vital statistics and the effective planning and implementation of programmes and policies intended to promote better governance and to achieve internationally agreed development goals, *Recognizing also* the efforts made at the regional level to achieve universal birth registration, including within the 2015-2024 Civil Registration and Vital Statistics Decade for Asia and the Pacific, and the Decade on Civil Registration 2015-2024 in Africa,

Recognizing further that non-governmental organizations, professional associations, media, the private sector and other members of civil society, including those involved in public-private partnerships, can also contribute to the improvement and promotion of community awareness of birth registration in a manner that reflects national priorities and strategies,

1. *Expresses concern* at the fact that, despite ongoing efforts to increase the global rate of birth registration, approximately 230 million children under the age of 5 worldwide are still not registered according to the United Nations Children's Fund;

2. *Reminds* States of their obligation to register births without discrimination of any kind and irrespective of the status of the parents of the child, and also reminds States that birth registration should take place immediately after birth, and that late birth registration should be limited to those cases that would otherwise result in a lack of registration;

3. *Welcomes* the report of the Office of the United Nations High Commissioner for Human Rights on birth registration and the right of everyone to recognition everywhere as a person before the law,[40] which documents the wide range of barriers to access to universal birth registration and the good practices adopted by States in fulfilling their obligation to ensure birth registration;

4. *Calls upon* States to establish or strengthen existing institutions at all levels responsible for birth registration and the preservation and security of such records, to ensure adequate training for registration officers, to allocate sufficient and adequate human, technical and financial resources to fulfil their mandate, and to increase, as needed, the accessibility of birth registration facilities, either by increasing the number or through other means, such as mobile birth registration officials in rural areas, paying attention to the local community level, promoting community awareness and working to address the barriers faced by vulnerable groups, such as persons with disabilities, in their access to birth registration;

5. *Also calls upon* States to take all appropriate measures to permanently store and protect civil registration records and to prevent the loss or destruction of records due to emergency or armed conflict situations;

6. *Further calls upon* States to ensure free birth registration, including free or low-fee late birth registration, by means of universal, accessible, simple, expeditious and effective registration procedures, without discrimination of any kind;

7. *Calls upon* States to raise awareness of birth registration continuously at the national, regional and local levels, including by engaging in collaboration with all relevant actors in public campaigns that raise awareness of the importance of birth registration for effective access to services and the enjoyment of human rights;

8. *Also calls upon* States to ensure that lack of birth registration or documents of proof of birth does not constitute an obstacle to access to and the enjoyment of relevant national services and programmes in accordance with international human rights law;

9. *Urges* States to identify and remove physical, administrative, procedural and any other barriers that impede access to birth registration, including late registration, paying due attention to, inter alia, barriers relating to poverty, disability,

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[40] A/HRC/27/22

gender, nationality, displacement, illiteracy and detention contexts, and persons in vulnerable situations;

10. *Invites* States and other relevant stakeholders to work towards ensuring universal birth registration through, inter alia, the exchange of good practices and technical assistance, including through the universal periodic review and other relevant mechanisms of the Human Rights Council;

11. *Encourages* States to request technical assistance, if required, from relevant United Nations bodies, agencies, funds and programmes and other relevant stakeholders in order to fulfil their obligation to undertake birth registration as a means of respecting the right of everyone to be recognized everywhere as a person before the law;

12. *Invites* relevant United Nations bodies, agencies, funds and programmes and other relevant stakeholders to cooperate with States in providing technical assistance, upon request, and calls upon them to ensure that persons with no birth registration are not discriminated against in any of their programmes;

13. *Recognizes* the importance of international cooperation in supporting national efforts to ensure universal birth registration;

14. *Requests* the High Commissioner to identify and actively pursue opportunities to collaborate with the United Nations Statistics Division and other relevant United Nations agencies, funds and bodies, as well as other relevant stakeholders, in order to strengthen existing policies and programmes aimed at universal birth registration and vital statistics development, and to ensure that they are based on international standards, taking into account best practices, and are implemented in accordance with relevant international human rights obligations, and also requests the High Commissioner to prepare a report on efforts made in this regard and to submit it to the Human Rights Council at its thirty-third session;

15. *Decides* to consider this issue in accordance with its annual programme of work.

55th meeting
26 March 2015

[Adopted without a vote.]

28/14. Human rights, democracy and the rule of law

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action,

Reaffirming also the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and other relevant international human rights instruments,

Recalling the Millennium Declaration and all General Assembly resolutions on democracy and the rule of law,

Reaffirming its resolution 19/36 of 23 March 2012 on human rights, democracy and the rule of law, and relevant resolutions of the Commission on Human Rights, *Taking note* of the study of the United Nations High Commissioner for Human Rights of 2012[41] and the outcome of the panel discussion,[42] held on 11 June 2013 during the twenty-third session of the Human Rights Council, both on the theme of common challenges facing States in their efforts to secure democracy and the rule of law from a human rights perspective,

Reaffirming that democracy is based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Reaffirming also that, while democracies share common features, there is no single model of democracy and that democracy does not belong to any country or region, and reaffirming further the necessity of due respect for sovereignty and the right to self-determination,

Bearing in mind that challenges to democracy arise in all democratic societies,

Acknowledging the fundamental importance of education and training for human rights and democracy in contributing to the promotion, protection and effective realization of all human rights,

Underlining that while States have the primary responsibility for safeguarding and strengthening democracy and the rule of law, the United Nations has a critical role in providing assistance and coordinating international efforts to support States, on their request, in their democratization processes,

Urging States to acknowledge the important contribution of civil society and human rights defenders to the promotion of human rights, democracy and the rule of law, and to create a safe and enabling environment for their work,

Recognizing the value of a Human Rights Council forum for exchange, dialogue, mutual understanding and cooperation on issues related to human rights, democracy and the rule of law, in accordance with the principles and purposes of the Charter, and acknowledging the importance of existing regional formats,

Stressing that human rights, democracy and the rule of law are interdependent and mutually reinforcing, and in this regard taking note with interest of the report of the Secretary-General on strengthening and coordinating United Nations rule of law activities,[43] in which the Secretary-General addressed the ways and means of developing further the linkages between the rule of law and the three main pillars of the United Nations: peace and security, human rights and development,

1. *Decides* to establish a forum on human rights, democracy and the rule of law to provide a platform for promoting dialogue and cooperation on issues pertaining to the relationship between these areas; the Forum shall identify and analyse best practices, challenges and opportunities for States in their efforts to secure respect for human rights, democracy and the rule of law;

2. *Expresses* its expectation that the Forum will contribute to the efforts of the Office of the United Nations High Commissioner for Human Rights to improve cooperation among United Nations mechanisms, bodies and specialized agencies, funds and programmes on activities related to the promotion of human rights, democracy and the rule of law, including at the regional level;

3. *Decides* that the Forum shall be open to the participation of States, United Nations mechanisms, bodies and specialized agencies, funds and programmes,

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[41] A/HRC/22/29.

[42] See A/HRC/24/54.

[43] A/68/213/Add.1.

intergovernmental organizations, regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies, academics and experts and non-governmental organizations in consultative status with the Economic and Social Council; the Forum shall also be open to other non-governmental organizations whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, and practices observed by the Human Rights Council through an open and transparent accreditation procedure in accordance with the Rules of Procedure of the Council, which will provide for timely information on the participation of and consultations with the States concerned;

4. *Also decides* that the Forum shall meet every two years for two working days allocated to thematic discussions;

5. *Requests* the President of the Human Rights Council to appoint for each session, on the basis of regional rotation, and in consultation with regional groups, a chairperson of the Forum from candidates nominated by members and observers of the Council; the chairperson, serving in his or her personal capacity, shall be responsible for the preparation of a summary of the discussions of the Forum, to be made available to all its participants;

6. *Requests* the High Commissioner to provide all the necessary support to facilitate the convening of the Forum and the participation of relevant stakeholders from every region in its meetings, paying particular attention to ensuring the broadest possible and most equitable participation, with due regard to gender balance;

7. *Requests* the Secretary-General and the High Commissioner to provide the Forum with all the services and facilities necessary to fulfil its mandate;

8. *Decides* that the theme of the first session of the Forum, to be held in 2016, will be "Widening the democratic space: the role of youth in public decision-making".

56th meeting
26 March 2015

[Adopted by a recorded vote of 35 to 0, with 12 abstentions. The voting was as follows:

In favour:

Albania, Argentina, Bangladesh, Botswana, Brazil, Congo, Côte d'Ivoire, El Salvador, Estonia, France, Gabon, Germany, Ghana, India, Indonesia, Ireland, Japan, Kazakhstan, Kenya, Latvia, Maldives, Mexico, Montenegro, Morocco, Namibia, Netherlands, Pakistan, Paraguay, Portugal, Qatar, Republic of Korea, Sierra Leone, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Algeria*, Bolivia (Plurinational State of), China, Cuba, Ethiopia, Nigeria, Russian Federation, Saudi Arabia, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam]

28/15. The right to work

The Human Rights Council,

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* The delegation of Algeria subsequently stated that there had been an error in its voting and that it had intended to vote in favour of the draft text.

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, and recalling the International Covenant on Economic, Social and Cultural Rights and other international human rights instruments relevant to the right to work,

Recalling Economic and Social Council resolutions 2007/2 of 17 July 2007, on the role of the United Nations system in providing full and productive employment and decent work for all, and 2008/18 of 24 July 2008, on promoting full employment and decent work for all,

Taking note of the International Labour Organization Declaration on Fundamental Principles and Rights at Work and its follow-up, adopted by the International Labour Conference at its eighty-sixth session, on 18 June 1998, the Declaration on Social Justice for a Fair Globalization, adopted by the Conference at its ninety-seventh session, on 10 June 2008, the Global Jobs Pact, adopted by the Conference at its ninety-eighth session, on 19 June 2009, and the resolution of the International Labour Organization on the follow-up to its Declaration on Fundamental Principles and Rights at Work, adopted by the Conference at its ninety-ninth session, on 15 June 2010,

Recognizing the primary role, mandate, expertise and specialization of the International Labour Organization within the United Nations system in relation to the promotion of decent work and full and productive employment for all,

Reaffirming that all human rights, civil, political, economic, social and cultural rights, including the right to development, are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Emphasizing that States should undertake to guarantee that the right to work is to be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Underscoring the equal right of men and women to the enjoyment of all human rights, including the right to work, and recognizing that women are on many occasions subject to discrimination in the context of realizing their rights in that regard on an equal basis with men,

Recognizing that progress has been made, yet deeply concerned that many persons with disabilities in all regions continue to face significant obstacles in exercising their right to work on an equal basis with others,

Reaffirming, as enshrined in the International Covenant on Economic, Social and Cultural Rights, the right to work, which includes the right of everyone to the opportunity to gain his or her living by work which he or she freely chooses or accepts, and that States should take steps to achieve the full realization of that right, including technical and vocational guidance and training programmes, policies and techniques, to achieve steady economic, social and cultural development and full and productive employment under conditions that safeguard the fundamental political and economic freedoms of the individual,

Reaffirming also, as enshrined in the International Covenant on Economic, Social and Cultural Rights, the right of everyone to the enjoyment of just and favourable conditions of work,

Reaffirming further that States have the primary responsibility to ensure the full realization of all human rights and to endeavour to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of their available resources, with a view to progressively achieving the full realization of the right to work, including in particular the adoption of legislative measures,

Recalling the United Nations Millennium Declaration and the Millennium Development Goals, in particular target 1 (b) of the Goals, to achieve full and productive employment and decent work for all, including women and young people,

Recognizing that full and productive employment and decent work for all are key elements of poverty-reduction strategies that facilitate the achievement of the internationally agreed development goals, including the Millennium Development Goals, and that they require a multidimensional focus that incorporates Governments, the private sector, civil society organizations, representatives of employers and workers, international organizations and, in particular, the agencies of the United Nations system and international financial institutions,

Encouraging States to pay due consideration to the right to work and the issue of full and productive employment and decent work for all in the ongoing negotiations on the elaboration of the post-2015 development agenda, and welcoming the inclusion of the promotion of sustained, inclusive and sustainable economic growth and decent work for all as a proposed stand-alone goal in the report of the Open Working Group on Sustainable Development Goals,[44]

Concerned that global unemployment stood at 201.3 million in 2014, representing an increase of 1.2 million compared with the previous year and of about 31 million compared with 2007, and highlighting the severe impact that the international economic and financial crisis has had in that regard,

Expressing deep concern that approximately 74.5 million young people are unemployed and that the global youth unemployment rate is around 13.1 per cent, and resolved in that regard to pay particular attention to the realization of the right to work for young people, bearing in mind the fundamental importance of equal opportunities, education and vocational training in the context of realizing the right to work for young people,

Underscoring that there is an urgent need to create at the national and international levels an environment that is conducive to the attainment of full and productive employment and decent work for all as a foundation for sustainable development, and that an environment that supports investment, growth and entrepreneurship is essential to the creation of new job opportunities, and reaffirming that opportunities for men and women to obtain productive work in conditions of freedom, equity, security and human dignity are essential to ensuring the eradication of hunger and poverty, the improvement of economic and social well-being for all, the achievement of sustained economic growth and sustainable development of all nations and a fully inclusive and equitable globalization,

Recognizing that employment should be a central objective of economic and social policies at the national, regional and international levels for the sustainable eradication of poverty and for providing an adequate standard of living, and emphasizing in that regard the importance of relevant social protection measures, including social protection floors,

Encouraging the private sector to continue to exercise its vital role in generating new investments, job opportunities and financing for development and in advancing efforts towards the full realization of the right to work and the promotion of full and productive employment and decent work for all,

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[44] A/68/970.

Acknowledging the work of the treaty bodies, in particular the Committee on Economic, Social and Cultural Rights, in relation to the right to work,

Acknowledging also the work of United Nations agencies, programmes and funds, in particular the International Labour Organization, in supporting the efforts of States to promote full and productive employment and decent work for all and the full realization of the right to work,

1. *Requests* the United Nations High Commissioner for Human Rights to prepare a report in consultation with States, United Nations agencies, funds and programmes, particularly the International Labour Organization, as well as the treaty bodies, special procedures, civil society and other relevant stakeholders on the realization of the right to work, in accordance with their respective obligations under international human rights law and the relevant major challenges and best practices in that regard, and to submit the report to the Human Rights Council prior to its thirty-first session;

2. *Decides* to remain seized of the matter.

56th meeting
26 March 2015

[Adopted without a vote.]

28/16. The right to privacy in the digital age

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the human rights and fundamental freedoms enshrined in the Universal Declaration of Human Rights and relevant international human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms,

Reaffirming the Vienna Declaration and Programme of Action,

Recalling its resolutions 5/1, on institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling also General Assembly resolutions 68/167 of 18 December 2013 and 69/166 of 18 December 2014 on the right to privacy in the digital age, and Human Rights Council decision 25/117 of 27 March 2014 on the panel on the right to privacy in the digital age,

Recalling further its resolutions 20/8 of 5 July 2012 and 26/13 of 26 June 2014 on the promotion, protection and enjoyment of human rights on the Internet,

Welcoming the work of the Office of the United Nations High Commissioner for Human Rights on the right to privacy in the digital age, noting with interest its report thereon,[45] and recalling the panel discussion on the right to privacy in the digital age held during the twenty-seventh session of the Human Rights Council,[46]

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[45] A/HRC/27/37

[46] See A/HRC/28/39.

Taking note of the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism[47] and the report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression,[48]

Noting with appreciation general comment No. 16 of the Human Rights Committee on the right to respect of privacy, family, home and correspondence, and protection of honour and reputation,[49] while also noting the vast technological leaps that have taken place since its adoption,

Recalling that the General Assembly in its resolution 69/166 encouraged the Human Rights Council to remain actively seized of the debate on the right to privacy in the digital age, with the purpose of identifying and clarifying principles, standards and best practices regarding the promotion and protection of the right to privacy, and to consider the possibility of establishing a special procedure to that end,

Recognizing the need to further discuss and analyse, on the basis of international human rights law, issues relating to the promotion and protection of the right to privacy in the digital age, procedural safeguards, effective domestic oversight and remedies, the impact of surveillance on the right to privacy and other human rights, as well as the need to examine the principles of non-arbitrariness and lawfulness, and the relevance of necessity and proportionality assessments in relation to surveillance practices,

Reaffirming the human right to privacy, according to which no one shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, and the right to the protection of the law against such interference, and recognizing that the exercise of the right to privacy is important for the realization of the right to freedom of expression and to hold opinions without interference and the right to freedom of peaceful assembly and association, and is one of the foundations of a democratic society,

Noting that the rapid pace of technological development enables individuals all over the world to use new information and communications technology and at the same time enhances the capacity of governments, companies and individuals to undertake surveillance, interception and data collection, which may violate or abuse human rights, in particular the right to privacy, as set out in article 12 of the Universal Declaration of Human Rights and article 17 of the International Covenant on Civil and Political Rights, and is therefore an issue of increasing concern,

Noting also that, while metadata can provide benefits, certain types of metadata, when aggregated, can reveal personal information and can give an insight into an individual's behaviour, social relationships, private preferences and identity,

Emphasizing that States must respect international human rights obligations regarding the right to privacy when they intercept digital communications of individuals and/or collect personal data and when they require disclosure of personal data from third parties, including private companies,

Recalling that business enterprises have a responsibility to respect human rights as set out in the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework,[50]

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[47] A/69/397

[48] A/HRC/23/40 and Corr 1

[49] *Official Records of the General Assembly, Forty-third Session, Supplement No. 40* (A/43/40), annex VI

[50] A/HRC/17/31, annex

Deeply concerned at the negative impact that surveillance and/or interception of communications, including extraterritorial surveillance and/or interception of communications, as well as the collection of personal data, in particular when carried out on a mass scale, may have on the exercise and enjoyment of human rights,

Noting with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms frequently face threats and harassment and suffer insecurity as well as unlawful or arbitrary interference with their right to privacy as a result of their activities,

Noting that, while concerns about public security may justify the gathering and protection of certain sensitive information, States must ensure full compliance with their obligations under international human rights law,

Noting also in that respect that the prevention and suppression of terrorism is a public interest of great importance, while reaffirming that States must ensure that any measures taken to combat terrorism are in compliance with their obligations under international law, in particular international human rights, refugee and humanitarian law,

1. *Reaffirms* the right to privacy, according to which no one shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, and the right to the protection of the law against such interference, as set out in article 12 of the Universal Declaration of Human Rights and article 17 of the International Covenant on Civil and Political Rights;

2. *Recognizes* the global and open nature of the Internet and the rapid advancement in information and communications technology as a driving force in accelerating progress towards development in its various forms;

3. *Affirms* that the same rights that people have offline must also be protected online, including the right to privacy;

4. *Decides* to appoint, for a period of three years, a special rapporteur on the right to privacy, whose tasks will include:

(*a*) To gather relevant information, including on international and national frameworks, national practices and experience, to study trends, developments and challenges in relation to the right to privacy and to make recommendations to ensure its promotion and protection, including in connection with the challenges arising from new technologies;

(*b*) To seek, receive and respond to information, while avoiding duplication, from States, the United Nations and its agencies, programmes and funds, regional human rights mechanisms, national human rights institutions, civil society organizations, the private sector, including business enterprises, and any other relevant stakeholders or parties;

(*c*) To identify possible obstacles to the promotion and protection of the right to privacy, to identify, exchange and promote principles and best practices at the national, regional and international levels, and to submit proposals and recommendations to the Human Rights Council in that regard, including with a view to particular challenges arising in the digital age;

(*d*) To participate in and contribute to relevant international conferences and events with the aim of promoting a systematic and coherent approach on issues pertaining to the mandate;

(*e*) To raise awareness concerning the importance of promoting and protecting the right to privacy, including with a view to particular challenges arising in the digital age, as well as concerning the importance of providing individuals whose right to privacy has been violated with access to effective remedy, consistent with international human rights obligations;

(*f*) To integrate a gender perspective throughout the work of the mandate;

(*g*) To report on alleged violations, wherever they may occur, of the right to privacy, as set out in article 12 of the Universal Declaration of Human Rights and article 17 of the International Covenant on Civil and Political Rights, including in connection with the challenges arising from new technologies, and to draw the attention of the Council and the United Nations High Commissioner for Human Rights to situations of particularly serious concern;

(*h*) To submit an annual report to the Human Rights Council and to the General Assembly, starting at the thirty-first session and the seventy-first session respectively;

5. *Invites* the Special Rapporteur to include in the first report considerations that the mandate holder finds relevant to address the right to privacy in the digital age;

6. *Calls upon* all States to cooperate fully with and to assist the Special Rapporteur in the performance of the mandate, including by providing all necessary information requested by him or her, to respond promptly to his or her urgent appeals and other communications, to consider favourably the mandate holder's requests to visit their countries and to consider implementing the recommendations made by the mandate holder in his or her reports;

7. *Encourages* all relevant stakeholders, including the United Nations and its agencies, programmes and funds, regional human rights mechanisms, national human rights institutions, civil society and the private sector to cooperate fully with the Special Rapporteur to enable the mandate holder to fulfil the mandate;

8. *Requests* the Secretary-General and the High Commissioner to provide the Special Rapporteur with all the human and financial resources necessary for the effective fulfilment of the mandate;

9. *Decides* to continue its consideration of the matter under the same agenda item.

56th meeting
26 March 2015

[Adopted without a vote.]

28/17. Effects of terrorism on the enjoyment of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other relevant international human rights instruments,

Recalling relevant resolutions of the General Assembly, the Security Council, the Commission on Human Rights and the Human Rights Council concerning terrorism, including Assembly resolutions 46/51 of 9 December 1991, 60/288 of 8 September 2006, 64/297 of 8 September 2010, 66/10 of 18 November 2011 on the United Nations Counter-Terrorism Centre established on the initiative of the United Nations and Saudi Arabia, and 68/178 of 18 December 2013, Commission resolution 2004/44 of 19 April 2004 and Human Rights Council resolution 25/7 of 27 March 2014, and reaffirming its commitment to the United Nations Global Counter-Terrorism Strategy and its four pillars, adopted by the Assembly in its resolution 60/28 of 8 September 2006,

Reaffirming that all human rights, civil, political, economic, social and cultural rights are universal, indivisible, interdependent and interrelated,

Recognizing that the objectives of countering terrorism and of the protection and promotion of human rights are not conflicting but complementary and mutually reinforcing,

Taking note of the report of the United Nations High Commissioner for Human Rights on the protection of human rights and fundamental freedoms while countering terrorism,[51]

Reaffirming its strongest condemnation of the continuing heinous acts of terrorism that have indiscriminately caused enormous loss of human life, destruction and damage to societies, detrimentally affected human rights, such as the right to life and security of person, undermined the rule of law and democratic freedoms, threatened socioeconomic development and impeded the full realization of the economic, social and cultural rights that are indispensable for human dignity and development of the human personality, thus representing a grave threat to international peace and security,

Reaffirming that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, thus threatening the territorial integrity and security of States and destabilizing legitimately constituted Governments, and that the international community should take the steps necessary to enhance cooperation to prevent and combat terrorism,

Condemning unequivocally all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable, and renewing its commitment to strengthen international cooperation to prevent and combat terrorism,

Expressing deep concern at the fact that some grave crimes committed by terrorist groups, including mercenaries and foreign fighters, have targeted persons and groups on the basis of their ethnic and religious background,

Reaffirming that States must ensure that any measures taken to counter terrorism should be in line with national legislation and in conformity with international law, in particular international human rights law and international humanitarian law,

Recalling its resolution 16/18 of 24 March 2011 and the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence as important tools to counter violent extremism, and calling for their effective implementation by the international community as a means to deprive radical groups and individuals of any justification for violent extremism on the grounds of ethno-religious stigmatization and discrimination,

1. *Strongly condemns* all terrorist acts and expresses grave concern at their detrimental effects on human rights, including the right to life, liberty and security of person;

2. *Condemns* all terrorist acts on State institutions, public sites, individual property, national monuments and historical and cultural relics;

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[51] A/HRC/28/28

3. *Expresses its concern* that terrorist groups have targeted entire population segments indiscriminately, and in some cases on the basis of their ethnic and religious backgrounds;

4. *Reaffirms* the primary responsibility of the State to protect its citizens against terrorism;

5. *Urges* all States to deny all forms of support for terrorist groups, including financial support, and to deny safe haven to those who incite, plan, finance, support or commit terrorist acts;

6. *Reiterates* the obligation of States to prevent and suppress the financing of terrorist acts, including ransom payment, and to criminalize the wilful provision or collection by any means, directly or indirectly, of funds by their nationals or in their territories, with the intention that the funds be used, or with the knowledge that they are to be used, to carry out terrorist acts;

7. *Urges* States to take appropriate measures to duly investigate the incitement, preparation, instigation or commission of acts of terrorism and, where appropriate, to prosecute, convict and punish those engaged in such acts in accordance with national criminal laws and procedure;

8. *Calls upon* States to strengthen further their national laws and mechanisms on countering terrorism;

9. *Condemns* incitement to violence and terrorism by any means, in particular through the media, and in that regard highlights the complex challenges associated with the increasing use of social media and information and communications technology in inciting violence and terrorism;

10. *Reaffirms* its unequivocal condemnation of all acts, methods, practices and financing of terrorism as criminal and unjustifiable, renews its commitment to strengthen international cooperation to prevent and combat terrorism, and in that regard calls upon States and relevant regional and subregional organizations, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars;

11. *Calls upon* all national and regional institutions and relevant civil society organizations, as appropriate, to advance tolerance and non-violence and more broadly to promote initiatives to build resilience against the recruitment of terrorists;

12. *Expresses its solidarity* with the victims of terrorism and their families, and acknowledges the importance of considering the needs of the victims of terrorism and preserving their human rights in such a way that requires the enhancement of international cooperation and the exchange of expertise in that respect;

13. *Encourages* States to provide satisfaction, reparation and rehabilitation for victims in accordance with the relevant national laws from within available resources;

14. *Urges* States and the international community to take measures, including through education, awareness-raising, the media and human rights educational activities and training, to effectively address the underlying factors of terrorism and the factors that make individuals and groups more vulnerable to the effects of terrorism and increase their propensity to be recruited by terrorists;

15. *Invites* all treaty bodies, special procedure mandate holders, relevant international and regional human rights mechanisms and the United Nations High Commissioner for Human Rights, within their respective mandates, to pay due attention to the negative impact of terrorism on the enjoyment of all human rights and fundamental freedoms;

16. *Decides* to convene, at its twenty-ninth session, a panel discussion on the effects of terrorism on the enjoyment by all persons of human rights and fundamental freedoms, and requests the High Commissioner to liaise with States and all stakeholders, including the relevant United Nations bodies, agencies and programmes, treaty bodies, special procedure mandate holders, national human rights institutions and civil society organizations with a view to ensuring their participation in the panel discussion;

17. *Requests* the High Commissioner to prepare a report on the panel discussion in the form of a summary and to submit it to the Human Rights Council at its thirtieth session.

56th meeting
26 March 2015

[Adopted by a recorded vote of 25 to 16, with 6 abstentions. The voting was as follows:

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, India, Indonesia, Kenya, Maldives, Morocco, Nigeria, Pakistan, Paraguay, Russian Federation, Saudi Arabia, Sierra Leone, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

Albania, Estonia, France, Germany, Ireland, Japan, Latvia, Mexico, Montenegro, Netherlands, Portugal, Republic of Korea, South Africa, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Botswana, Gabon, Ghana, Kazakhstan, Namibia, Qatar]

28/18. Freedom of religion or belief

The Human Rights Council,

Recalling General Assembly resolution 36/55 of 25 November 1981, in which the Assembly proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling also article 18 of the International Covenant on Civil and Political Rights, article 18 of the Universal Declaration of Human Rights and other relevant human rights provisions,

Recalling further Human Rights Council resolution 25/12 of 27 March 2014, and other resolutions adopted by the Council, the General Assembly and the Commission on Human Rights on the freedom of religion or belief or the elimination of all forms of intolerance and of discrimination based on religion or belief,

Noting with appreciation the conclusions and recommendations of the expert workshops organized by the Office of the United Nations High Commissioner for Human Rights and contained in the Rabat Plan of Action on the prohibition of advocacy of national, racial and religious hatred that constitutes incitement to discrimination, hostility or violence, adopted in Rabat on 5 October 2012,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated, *Recalling* that States have the primary responsibility to promote and protect human rights, including the human rights of persons belonging to religious minorities, including their right to exercise their religion or belief freely,

Deeply concerned at continuing acts of intolerance and violence based on religion or belief against individuals, including persons belonging to religious communities and religious minorities around the world,

Underlining the importance of education in the promotion of tolerance, which involves the acceptance by the public of and its respect for diversity, including with regard to religious expression, and underlining also the fact that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

1. *Stresses* that everyone has the right to freedom of thought, conscience and religion or belief, which includes the freedom to have or not to have, or to adopt, a religion or belief of one's choice and the freedom, either alone or in community with others and in public or private, to manifest one's religion or belief in teaching, practice, worship and observance, including the right to change one's religion or belief;

2. *Emphasizes* that freedom of religion or belief and freedom of expression are interdependent, interrelated and mutually reinforcing, and stresses also the role that these rights can play in the fight against all forms of intolerance and discrimination based on religion or belief;

3. *Expresses deep concern* at emerging obstacles to the enjoyment of the right to freedom of religion or belief, as well as instances of religious intolerance, discrimination and violence, inter alia:

(*a*) The increasing number of acts of violence directed against individuals, including persons belonging to religious minorities in various parts of the world;

(*b*) The rise of religious extremism in various parts of the world that affects the rights of individuals, including persons belonging to religious minorities;

(*c*) Incidents of religious hatred, discrimination, intolerance and violence, which may be manifested by derogatory stereotyping, negative profiling and the stigmatization of individuals on the basis of their religion or belief;

(*d*) Instances, both in law and in practice, that constitute violations of the fundamental right to freedom of religion or belief, including of the individual's right to publicly express one's spiritual and religious beliefs, taking into account the relevant articles of the International Covenant on Civil and Political Rights and other international instruments;

(*e*) Constitutional and legislative systems that fail to provide adequate and effective guarantees of freedom of thought, conscience, religion and belief to all, without distinction;

(*f*) Attacks on religious places, sites and shrines and vandalism of cemeteries, in violation of international law, in particular international human rights law and international humanitarian law;

4. *Condemns* all forms of violence, intolerance and discrimination based on or in the name of religion or belief, and violations of the freedom of thought, conscience, religion or belief, as well as any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual or electronic media or any other means;

5. *Also condemns* violence and acts of terrorism, which are increasing in number and targeting individuals, including persons belonging to religious minorities across the world;

6. *Emphasizes* that no religion should be equated with terrorism, as this may have adverse consequences on the enjoyment of the right to freedom of religion or belief of all members of the religious community concerned;

7. *Also emphasizes* that States should exercise due diligence to prevent, investigate and punish acts of violence against persons belonging to religious minorities, regardless of the perpetrator, and that failure to do so may constitute a human rights violation;

8. *Strongly* encourages government representatives and leaders in all sectors of society and respective communities to speak out against acts of intolerance and violence based on religion or belief;

9. *Urges* States to step up their efforts to promote and protect freedom of thought, conscience and religion or belief, and to this end:

(*a*) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience and religion or belief to all, without distinction, by, inter alia, the provision of access to justice and effective remedies in cases where the right to freedom of thought, conscience and religion or belief, or the right to freely practise one's religion, including the right to change one's religion or belief, is violated;

(*b*) To implement all accepted universal periodic review recommendations relating to the promotion and protection of freedom of religion or belief;

(*c*) To ensure that no one within their jurisdiction is deprived of the right to life, liberty or security of person because of religion or belief, and that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment, or arbitrary arrest or detention on that account, and to bring to justice all perpetrators of violations of these rights;

(*d*) To end violations of the human rights of women, and to devote particular attention to abolishing practices and legislation that discriminate against women, including in the exercise of their right to freedom of thought, conscience and religion or belief;

(*e*) To ensure that no one is discriminated against on the basis of his or her religion or belief in their access to, inter alia, education, medical care, employment, humanitarian assistance or social benefits, and to ensure that everyone has the right and the opportunity to have access, on general terms of equality, to public services in their country, without any discrimination based on religion or belief;

(*f*) To review, whenever relevant, existing registration practices in order to ensure that such practices do not limit the right of all individuals to manifest their religion or belief, either alone or in community with others and in public or private;

(*g*) To ensure that no official documents are withheld from the individual on the grounds of religion or belief, and that everyone has the right to refrain from disclosing information concerning their religious affiliation in such documents against their will;

(*h*) To ensure, in particular, the right of all individuals to worship, assemble or teach in connection with a religion or belief and their right to establish and maintain places for these purposes, and the right of all individuals to seek, receive and impart information and ideas in these areas;

(*i*) To ensure that, in accordance with appropriate national legislation and in conformity with international human rights law, the freedom of all individuals, including persons belonging to religious minorities, to establish and maintain religious, charitable or humanitarian institutions is fully respected and protected;

(*j*) To ensure that all public officials and civil servants, including members of law enforcement bodies, and personnel of detention facilities, the military and educators, in the course of fulfilling their official duties, respect freedom of religion or belief and do not discriminate for reasons based on religion or belief, and that all necessary and appropriate awareness-raising, education or training is provided;

(*k*) To take all necessary and appropriate action, in conformity with international human rights obligations, to combat hatred, discrimination, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, and any advocacy of religious hatred that constitutes incitement to discrimination, hostility and violence, with particular regard to persons belonging to religious minorities in all parts of the world;

(*l*) To promote, through the educational system and other means, mutual understanding, tolerance, non-discrimination and respect in all matters relating to freedom of religion or belief by encouraging, in society at large, a wider knowledge of different religions and beliefs and of the history, traditions, languages and cultures of the various religious minorities existing within their jurisdiction;

(*m*) To prevent any distinction, exclusion, restriction or preference based on religion or belief that impairs the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis, and to detect signs of intolerance that may lead to discrimination based on religion or belief;

10. *Stresses* the importance of a continued and strengthened dialogue in all its forms, including among individuals of, and within, different religions and beliefs, and with broader participation, including of women, to promote greater tolerance, respect and mutual understanding, and takes note with appreciation of different initiatives in this regard, including the Alliance of Civilizations and the programmes led by the United Nations Educational, Scientific and Cultural Organization;

11. *Welcomes and encourages* the continuing efforts of all actors in society, including civil society organizations, religious communities, national human rights institutions, the media and other actors to promote the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and also encourages their work in promoting freedom of religion or belief and in highlighting cases of religious intolerance, discrimination and persecution;

12. *Calls upon* States to make use of the potential of education for the eradication of prejudices against and stereotypes of individuals on the basis of their religion or belief;

13. *Takes note* of the thematic report on preventing violence committed in the name of religion presented by the Special Rapporteur on freedom of religion or belief,[52] and encourages his continuing work for the promotion, protection and universal implementation of the right to freedom of religion or belief, within his mandate;

14. *Urges* all Governments to cooperate fully with the Special Rapporteur and to respond favourably to his requests to visit their countries and to provide him with all necessary information to enable him to fulfil the mandate even more effectively;

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[52] A/HRC/28/66.

15. *Requests* the Special Rapporteur to report annually to the Human Rights Council and to the General Assembly in accordance with their respective programmes of work;

16. *Decides* to remain seized of this question under the same agenda item and to continue its consideration of measures to implement the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

57th meeting
27 March 2015

[Adopted without a vote.]

28/19. Rights of the child: towards better investment in the rights of the child

The Human Rights Council,

Emphasizing that the Convention on the Rights of the Child constitutes the standard in the promotion and protection of the rights of the child, bearing in mind the importance of the Optional Protocols to the Convention, and calling for their universal ratification and effective implementation, as well as that of other relevant human rights instruments,

Recalling all previous resolutions on the rights of the child of the Commission on Human Rights, the Human Rights Council and the General Assembly, the most recent being Council resolution 25/6 of 27 March 2014 and Assembly resolution 69/157 of 18 December 2014,

Reaffirming that the general principles of the Convention on the Rights of the Child, including non-discrimination, the best interests of the child, survival and development, and participation, provide the framework for all actions concerning children,

Welcoming the work of the Committee on the Rights of the Child and of other United Nations treaty bodies, and noting its general comments, in particular general comment no. 5, on general measures of implementation of the Convention on the Rights of the Child,

Noting Committee on Economic, Social and Cultural Rights general comments No. 3, on the nature of States parties' obligations, and No. 9, on the domestic application of the International Covenant on Economic, Social and Cultural Rights,

Welcoming the attention paid to the rights of the child by the Special Rapporteur on the sale of children, child prostitution and child pornography, the Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General for Children and Armed Conflict, and taking note with appreciation of their recent reports,[53]

Recalling the commitments made by States at the World Summit for Children in 1990 and at the twenty-seventh special session of the General Assembly in 2002 to follow-up and implement the Plan of Action,[54] the United Nations Millennium Declaration,[55] the guiding principles on extreme poverty and human rights,[56] the

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[53] A/HRC/28/56, A/HRC/28/55 and A/HRC/28/54.

[54] General Assembly resolution S-27/2, annex.

[55] General Assembly resolution 55/2.

[56] See General Assembly resolution 67/164.

United Nations Convention against Corruption, the Monterrey Consensus of the International Conference on Financing for Development,[57] the Doha Declaration on Financing for Development,[58] the Vienna Declaration and Programme of Action, the United Nations Principles and Guidelines on Access to Legal Aid and Criminal Justice Systems,[59] the Guiding Principles on Business and Human Rights and the Children's Rights and Business Principles, and recognizing their relevance, as appropriate, for other relevant stakeholders, such as business enterprises,

Reaffirming that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and must be treated in a fair and equal manner, on the same footing and with the same emphasis, and recognizing the need to ensure the full and effective enjoyment by all children of their human rights, including the right to development,

Emphasizing that States have the primary responsibility to respect, protect and fulfil all human rights, including the rights of the child, and that this responsibility involves all branches of the State,

Reaffirming that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, while the best interests of the child shall be the guiding principle of those responsible for his or her nurture and protection, and that families' and caregivers' capacities to provide the child with care and safe environment should be promoted,

Recognizing that the duties and responsibility to respect the rights of the child extend in practice beyond the State and State-controlled services and institutions and apply to private actors and business enterprises,

Affirming that investing in children is critical to achieving inclusive, equitable and sustainable human development for present and future generations, and delivers benefits to society and the economy at large,

Recognizing that investing in quality education and health services tailored for children is a critical component of fulfilling the State's duties and responsibilities to respect, to promote and to protect the rights of the child,

Acknowledging that children constitute more than 30 per cent of the world population and even more than 50 per cent of the population in some countries, and expressing deep concern that, while States have developed and improved legal frameworks for children, the lack of sufficient, efficient, inclusive and equitable public investment in children remains one of the main barriers to realizing their rights,

Deeply concerned that one billion children are deprived of one of more essential services for their survival and development,

Considering that economic policies are not neutral in their effect on children's rights,

Recognizing that comprehensive investment in the rights of the child is broader than the mobilization, budgeting and spending of public resources,

Conscious that the realization of the rights of the child may be affected by a range of factors, such as financial or economic crisis, illicit financial flows, emergencies, terrorism, armed conflict, inadequate legal protection, the adverse impact of climate change, natural disasters, food and water insecurity, poverty or global inequalities,

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[57] A/CONF.198/11, chap. I.

[58] A/CONF.212/L.1/Rev.1.

[59] General Assembly resolution 67/187, annex.

Recognizing that long-term debt may have an impact on States' ability to mobilize resources for the protection and realization of the rights of the child, and stressing in this regard the importance of effective debt management as an element in ensuring long-term debt sustainability,

Deeply concerned that extreme poverty and social exclusion persist in all countries of the world, regardless of their economic, social and cultural situation, that their extent and manifestations are particularly severe in developing countries, and that children are among those in the most vulnerable situations, and noting that the girl child experiences particular vulnerabilities as a consequence of multiple forms of discrimination,

Recognizing that transparent, inclusive, participatory and accountable governance and fiscal processes play a critical role in combating corruption and ensuring efficient resource mobilization, allocation and spending for the protection and realization of the rights of the child,

Reaffirming that equitable, sustained and broad-based investment in children for the protection and realization of their rights lays the foundation for a just society, a strong economy and a world free of poverty,

Recognizing that the enhancement of international cooperation to support national efforts in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights, including the rights of the child,

1. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights entitled "Towards better investment in the rights of the child";[60]

2. *Calls upon* all States to ensure the enjoyment by children of all their human rights, in accordance with the Convention on the Rights of the Child, without discrimination of any kind, and in this regard emphasizes the fundamental link between laws, policies and budgets and the responsibility of States to ensure that relevant national laws and policies are translated into transparent, participatory and accountable budgets and spending for the promotion, protection and realization of the rights of the child;

3. *Also calls upon* States to undertake all appropriate legislative, administrative, judicial and other measures for the implementation of the rights recognized in the Convention on the Rights of the Child and, with regard to economic, social, and cultural rights, to take such measures to the maximum extent of their available resources and, where needed, within the framework of international cooperation;

4. *Affirms* that investment in children has high economic and social returns, and that all related efforts to ensure resources allocated and spent for children should serve as an instrument for the fulfilment of the rights of the child;

5. *Stresses* that the primary responsibility for the creation and maintenance of an enabling environment for securing the well-being of children, in which the rights of each and every child are promoted, protected, respected and fulfilled, rests within each State, and that effective and equitable investment is required for this purpose, recognizing that additional resources, both national and international, are required for this purpose;

6. *Reaffirms* the responsibilities, rights and duties of parents, legal guardians or other persons legally responsible for the child to provide, in a manner consistent

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[60] A/HRC/28/33.

with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of his or her rights;

I. National policies and the rights of the child

7. *Recalls* that State action aimed at the promotion, protection and full realization of all human rights and fundamental freedoms for all, including the rights of the child, at the national level is most effective when fully integrated into national laws and policies based on a human rights perspective and in a manner consistent with States' obligations under international human rights law;

8. *Reaffirms* that States have the right to choose the framework that is best suited to their particular needs and circumstances at the national level, and emphasizes that national policies, including budgetary and fiscal policies, are to be implemented in a manner that respects, protects and fulfils human rights and that inclusive and sustainable economic growth and stability should be regarded as a means towards human development;

9. *Emphasizes* the importance for the protection and realization of all human rights, including the rights of the child, of participatory and transparent approaches when planning, formulating and assessing relevant public policies, and recognizes the important and constructive role that parliaments, national human rights institutions, the judiciary and civil society can play with regard to the realization of the rights of the child;

10. *Encourages* States to develop and strengthen the collection, analysis and dissemination of data for national statistics and, as far as possible, to use data disaggregated by, inter alia, age, sex, ethnicity, location, language, family income, disability and other relevant factors that may lead to disparities, and other statistical indicators collected at the subnational, national, subregional, regional and international levels, to develop and assess social policies and programmes so that available economic and social resources are used efficiently and effectively for the full realization of the rights of the child, including girls and marginalized and disadvantaged groups of children;

II. Resource mobilization for the promotion, protection and realization of the rights of the child

11. *Requests* all States to take all possible measures towards the promotion, protection and realization of the rights of the child without discrimination of any kind, paying special attention to children in vulnerable situations;

12. *Encourages* States to pursue, among others, the following actions for mobilizing resources to realize the rights of the child:

(*a*) To take concrete measures to mobilize domestic and, where necessary, international resources, such as collecting taxes and other revenues, implementing transparent and efficient administrative procedures, promoting sustainable and inclusive growth and productivity and, when appropriate, inviting private sector involvement in a way that promotes the realization of the rights of the child;

(*b*) To ensure the effective and efficient use of resources and, to the greatest possible extent, that social expenditures that benefit children are prioritized, including during short-term and long-term economic and financial crises;

(*c*) To make continuous efforts to sustain investment in children at both the national and subnational levels over the medium to long term as a way of creating a long-lasting impact on future growth, sustainable development and social cohesion while safeguarding the rights of the child;

(*d*) To take measures for responsible, sustainable lending and borrowing and effective debt management in order to contribute to ensuring long-term debt sustainability;

(*e*) To combat corrupt or illicit practices at all levels, including tax evasion and illicit financial flows, that directly affect the resources available for the realization of the rights of the child, and in this regard to consider, as appropriate, developing global partnerships to that end;

III. Transparency in the allocation and use of resources

13. *Calls upon* States to make budgeting processes open, transparent, accessible and participatory;

14. *Encourages* States to take steps towards:

(*a*) Making child-related fiscal and budget information publicly available, comprehensive and timely, including the priorities guiding the relevant allocation of resources, to encourage accountability and public scrutiny with children, through child-friendly information, and with other stakeholders;

(*b*) Allowing for the identification of budget line items that have a direct or indirect impact on children, and systematizing relevant data and indicators, including child-focused indicators and child rights impact-tracking mechanisms;

IV. Accountability

15. *Calls upon* States, in the context of their national policies relating to the protection, promotion and realization of the rights of the child, to strengthen public financial management systems, to ensure accountability for public resources and to put in place effective remedies to prevent and address the mismanagement of public funds and other resources and the negative impact of investment decisions and practices that deprive children of their access to services essential for the realization of their rights;

16. *Encourages* States to take steps towards:

(*a*) Ensuring financial internal oversight, such as internal audits, as well as external oversight by the parliament and independent supreme audit institutions, and recognizing the role that independent human rights institutions have established in accordance with the Paris Principles, children's ombudspersons, and the wider public, including children, can play to hold the Government accountable for its investment in children;

(*b*) Conducting assessments of the impact of fiscal policies, as well as budget allocation and spending, on the realization of the rights of child, including the most disadvantaged and marginalized, and of how investments in any sector can serve the best interests of the child;

17. *Calls upon* States to encourage the private sector to play a more active, effective and responsible role in the fight against poverty and the protection and realization of the rights of the child in all areas where it is involved and as economic agent and service provider, to encourage corporate social responsibility, bearing in mind that corporations must abide by national legislation, and to promote increased corporate awareness of the interrelationship between social development and economic growth for the realization of human rights, including those of children;

18. *Encourages* States to collect statistical data and pertinent and accurate information relating to investment in children, including, when possible, on progress made and the challenges encountered, and to consider including statistics and comparable data in their periodic reports to the relevant United Nations mechanisms in

accordance with their mandates, including information provided to the Human Rights Council in the context of the universal periodic review;

19. *Emphasizes* the important role of civil society in promoting accountability in investment in the realization of the rights of the child at all levels, including through child-sensitive community engagement mechanisms;

V. Participation of children in budgetary and fiscal processes

20. *Recognizes* that a child who is capable of forming his or her own views should be assured the right to express those views freely, without discrimination on any ground, in all matters affecting him or her, the views of the child being given due weight in accordance with his or her age and maturity;

21. *Calls upon* States to consider, as appropriate, promoting, facilitating and funding the meaningful participation and active consultation of children in all the issues affecting them, including in the formulation and implementation of public policies and delivery of services, in particular those designed to meet national goals and targets for children and adolescents, and recognizes the important role played by independent ombudspersons for children, educational institutions, the media, community-based organizations, such as children's organizations, and parliaments in assuring the meaningful participation of children in these public processes, taking into account the best interests of the child;

VI. Resource allocation and spending for the promotion, protection and realization of the rights of the child

22. *Emphasizes* the duty of all States to allocate and spend sufficient and equitable public resources for the promotion, protection and realization of all human rights, and stresses that government budgets and spending are prerequisites for the provision of appropriate services mechanisms and infrastructure that serve to fulfil the rights of the child at all times, including to prevent and respond to emergencies and other humanitarian situations, and encourages States:

(*a*) To ensure that the national budget is conceived as an instrument to guarantee social and economic objectives and the protection and realization of the rights of the child, guided by the Convention on the Rights of the Child and the principles of non-discrimination, the best interests of the child, survival and development, and participation, universality, transparency and accountability in all governmental actions and processes related to it;

(*b*) To make children a priority in budgetary allocations and spending as a means to ensure the highest return on the limited resources available;

(*c*) To take steps to improve interministerial coordination and cooperation regarding investment in the rights of the child at all levels, to ensure, as appropriate, that subnational authorities have the necessary financial, human and other resources to effectively discharge their assigned responsibilities, and to implement safeguards to ensure that decentralization or devolution does not lead to discrimination in the enjoyment of rights by children in different regions;

23. *Calls upon* States, regardless of their level of development or resource constraints, to ensure the satisfaction of, at the very least, the minimum essential levels of enjoyment of all economic, social and cultural rights by making every effort to use the resources that are at their disposal to satisfy as a matter of priority these minimum levels;

24. *Emphasizes* that, where the available resources are demonstrably inadequate, States are still required to take targeted measures to move as expeditiously

and effectively as possible towards the full realization of the rights of the child, including within the framework of international cooperation;

VII. Holistic child protection systems

25. *Calls upon* all States to take all necessary measures to establish holistic child protection systems, including through laws, policies, regulations and appropriate budget allocation, to ensure access to services across all social sectors, including but not limited to health and nutrition, education, social welfare, security and justice, in order to address the multiple needs and underlying vulnerabilities of all children without any discrimination;

26. *Reminds* States of their obligation to register births without discrimination of any kind, and calls upon States to do so irrespective of the status of the child's parents, and to ensure free birth registration, including free or low-fee late birth registration limited to cases that would otherwise result in a lack of registration, by means of universal, accessible, simple, expeditious and effective registration procedures, without discrimination of any kind, as a means for providing an official record of the existence of a person and the recognition of that individual as a person before the law, and granting access to services and enjoyment of all the rights to which the child is entitled;

27. *Calls upon* all States to take all necessary measures to ensure that the rights of the child to life, survival and development and to the enjoyment of the highest attainable standard of physical and mental health are promoted, protected and fulfilled, without discrimination of any kind, including through the development and implementation of laws, strategies and policies, with appropriate budgeting and resource allocation and adequate investment in resilient and responsive health systems and public health services, with an adequately skilled, well-trained and motivated workforce, and ensuring its availability, accessibility, affordability, acceptability and quality;

28. *Also calls upon* States to make progress towards the implementation of universal health coverage and to ensure access to all people, including children, without discrimination, to a nationally determined set of promotive, preventive, curative and rehabilitative health services, including sexual and reproductive health-care services, and to identify the underlying determinants of children's health and risk factors of both non-communicable and communicable diseases;

29. *Further calls upon* all States to take all necessary measures, including sufficient budgetary allocations, to ensure inclusive, equitable and non-discriminatory quality education and to promote learning opportunities for all children, and urges States to pay special attention in that regard to children with disabilities and children in vulnerable situations, such as indigenous children, members of minorities, refugees, migrants, undocumented and stateless children, married or pregnant children and adolescents, and adolescent mothers, children living in poverty, and any other marginalized or disadvantaged child, as well as for children in armed conflict or emergency situations;

30. *Calls upon* States to make primary education available, free and compulsory for all children, ensuring that all children have access to an inclusive quality education from an early age, and making secondary education generally available and accessible for all, in particular by the progressive introduction of free education, as well as ensuring equal access to early childhood education and care, and access on the basis of equal opportunity and non-discrimination to post-secondary and tertiary education, and to include comprehensive evidence-based education on human sexuality in a manner consistent with their evolving capacities;

31. *Also calls upon* States to recognize for every child the right to benefit from social security, including social insurance, and to take the measures necessary to achieve the full realization of this right in accordance with their national laws, including by taking into account the resources and circumstances of the child and persons having responsibility for his or her maintenance, as well as any other consideration relevant to an application for benefits made by or on behalf of the child; and encourages States to, as part of their social protection systems, establish or maintain and implement social protection floors, which comprise basic social security guarantees as nationally defined and contribute to ensuring minimum essential level of protection, to the realization of the economic, social and cultural rights of children and to preventing or alleviating poverty, vulnerability and social exclusion;

32. *Urges* States, in accordance with national conditions and within their means, to take appropriate measures to assist parents and others responsible for the child in implementing the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development and, in the event of need, to provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing;

33. *Requests* all States to promote innovative programmes that provide incentives to low-income families with school-age children in order to increase the enrolment and attendance of girls and boys, and to ensure that children are not obliged to work in a way that interferes with their schooling or represents a risk to their health or well-being, and that they are not taken into care because of poverty;

34. *Encourages* States to develop or enhance early childhood programmes targeted at assisting families facing especially difficult circumstances, including those headed by single parents or children, those living in the most vulnerable and disadvantaged situations and those living in extreme poverty or caring for children with disabilities;

35. *Also encourages* States to take into account the Guidelines for the Alternative Care of Children, and to adopt and enforce laws and to improve the implementation of policies and programmes, budget allocation and human resources to support children, particularly children living in disadvantaged and marginalized families, to ensure that they are cared for effectively by their own families and communities, and to protect children growing up without parents or caregivers; where alternative care is necessary, decision-making should be in the best interests of the child, in full consultation with the child as age-appropriate and with the child's legal guardians;

36. *Calls upon* States to translate into concrete action their obligations and commitments related to child labour, including to the effective elimination of child labour that is likely to be hazardous, interfere with the child's education or be harmful to the child's health or physical, mental, spiritual, moral or social development, to eliminate immediately the worst forms of child labour, to promote education as a key strategy in this regard, and to examine and devise economic policies, where necessary in cooperation with the international community, that address factors contributing to these forms of child labour, such as poverty and social exclusion, labour mobility, discrimination and lack of adequate social protection and educational opportunities;

37. *Urges* all States that have not yet ratified the Conventions of the International Labour Organization concerning the Minimum Age for Admission to Employment (No. 138) and the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182) to consider doing so as a matter of priority, and encourages States to consider ratifying the Convention concerning decent work for domestic workers (No. 189);

38. *Strongly condemns* all acts of violence against children, and calls upon States to take effective and appropriate legislative and other measures, including sufficient resource allocation, to prevent, prohibit and eliminate all forms of violence against children in all settings;

39. *Calls upon* all parties to armed conflict to respect fully the relevant provisions of applicable international law relating to the rights and protection of children in armed conflict, including concerning the recruitment and use of children by parties to armed conflict;

40. *Calls upon* States to take, as a matter of urgency, all appropriate measures, including through sufficient resource allocation, to prevent, and to protect children, without discrimination of any kind, from, torture and other cruel, inhuman or degrading treatment or punishment, and to abolish harmful practices that compromise the dignity and integrity of the child and that are prejudicial to the health of boys and girls, particularly by preventing and explicitly condemning such practices, as well as addressing violence leading to child self-harm and suicide;

41. *Urges* States to ensure that all child victims of violence, armed conflict situations and harmful practices have access to adequately funded and appropriate gender-sensitive, safe and confidential programmes and medical, social and psychological support services to protect, treat, counsel and reintegrate child victims, as well as child-friendly and safe spaces, including schools, and to implement protective measures to provide necessary support for the child and for those who have the care of the child, and to provide for other forms of prevention and for the identification, reporting, referral, investigation, treatment of and follow-up on instances of child maltreatment and for judicial involvement;

42. *Calls upon* States to provide effective remedies to redress violations of the rights of the child, and encourages States to pay particular attention to providing child-sensitive procedures, information and advice, an adequately trained workforce and, as appropriate, alternatives to prison and alternative mechanisms for solving disputes and seeking redress, available to children and their representatives; and also calls upon States to provide judicial redress, with the necessary legal and other assistance, and to commit sufficient funds to achieve these goals, as well as to provide appropriate reparation and, where needed, measures to promote physical and psychological recovery, rehabilitation and reintegration, including for children formerly recruited by armed groups and armed forces or children victims of violence;

VIII. International cooperation

43. *Encourages* all States to strengthen their commitment, cooperation and mutual assistance with the objective of implementing the Convention on the Rights of the Child and realizing fully the rights of the child, including through the sharing of good practices, research, policies, monitoring and capacity-building;

44. *Calls upon* States, including through bilateral, regional and global cooperation programmes and technical partnerships, to continue to strengthen capacity-building activities, in particular in developing countries, for the promotion and protection of the rights of the child;

45. *Encourages* States to honour their commitments and to meet internationally agreed targets, including the United Nations targets for international development assistance, in particular for the implementation of the rights of the child;

46. *Emphasizes* the role of international cooperation in support of national and subnational efforts and in raising the capacities, including at community level, for the fulfilment of the rights of the child through, inter alia, the enhancement of their cooperation with human rights mechanisms, relevant United Nations agencies,

programmes and funds, including through the provision of technical and financial assistance, upon the request of and in accordance with the priorities set by the States concerned;

47. *Encourages* all States to ensure that the rights of the child are respected and protected in programmes implemented through bilateral and multilateral development cooperation;

48. *Invites* international financial institutions and other international governmental and non-governmental organizations to work together with recipient Governments on their request and in accordance with their priorities in order to enhance their capacity to implement child rights-based budgeting into national budgets and to ensure that cooperation is effectively coordinated;

IX. Follow-up

49. *Encourages* States to give due consideration to the rights of the child in the discussions on the post-2015 development agenda and financing for development, and to ensure an open, transparent, participatory, inclusive and child-sensitive framework for that agenda;

50. *Requests* all United Nations bodies, agencies, mechanisms, plans and programmes to support States in their development efforts and implementation of the rights of the child, and to routinely incorporate information on how resources are allocated and spent for children's rights in their work in accordance with their respective mandates;

51. *Invites* the High Commissioner to prepare a follow-up report on investment in the rights of the child, based on good practices and lessons learned, in close collaboration with relevant stakeholders, including States, the United Nations Children's Fund, other relevant United Nations bodies, agencies, funds and programmes, relevant special procedure mandate holders, regional organizations and human rights bodies, civil society, national human rights institutions and children themselves, and to submit the report to the Human Rights Council at its thirty-first session;

52. *Decides* to continue its consideration of the question of the rights of the child in accordance with its programme of work and its resolutions 7/29 of 28 March 2008 and 19/37 of 23 March 2012, and, capitalizing on the work conducted by the Special Representative of the Secretary-General on Violence against Children, the Special Rapporteur on the sale of children, child prostitution and child pornography and the Committee on the Rights of the Child, to focus its next full-day meeting on the theme of "Information and communications technology and child sexual exploitation", requests the Office of the High Commissioner to prepare a report on that issue, in close collaboration with the Special Representative of the Secretary-General on Violence against Children and the Special Rapporteur on the sale of children, child prostitution and child pornography, as well as other relevant stakeholders, including States, the United Nations Children's Fund, other relevant United Nations bodies and agencies, relevant special procedure mandate holders, regional organizations and human rights bodies, civil society, national human rights institutions and children themselves, and to present it to the Council at its thirty-first session, to inform the annual day of discussion on the rights of the child, and requests the High Commissioner to circulate a summary report on the next full-day meeting on the rights of the child.

57th meeting
27 March 2015

[Adopted without a vote.]

28/20. The continuing grave deterioration in the human rights and humanitarian situation in the Syrian Arab Republic

For the text of the resolution, see chapter II.

28/21. Situation of human rights in the Islamic Republic of Iran

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling its resolutions 16/9 of 24 March 2011, 19/12 of 3 April 2012, 22/23 of 22 March 2013 and 25/24 of 28 March 2014, General Assembly resolution 69/190 of 18 December 2014 and all previous resolutions of the Assembly on the situation of human rights in the Islamic Republic of Iran, and regretting the lack of cooperation of the Islamic Republic of Iran with the requests of the Human Rights Council and the Assembly made in those resolutions,

Welcoming the report and recommendations of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran submitted to the Human Rights Council,[61] and expressing serious concern at the developments noted in that report as well as the lack of access permitted to the Special Rapporteur to travel to the Islamic Republic of Iran,

Recalling its resolutions 5/1, on the institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that mandate holders are to discharge their duties in accordance with those resolutions and the annexes thereto,

1. *Decides* to extend the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran for a further period of one year, and requests the Special Rapporteur to submit a report on the implementation of his mandate to the Human Rights Council at its thirty-first session and to the General Assembly at its seventieth session;

2. *Calls upon* the Government of the Islamic Republic of Iran to cooperate fully with the Special Rapporteur and to permit access to visit the country as well as all information necessary to allow the fulfilment of the mandate;

3. *Requests* the Secretary-General to provide the Special Rapporteur with the resources necessary to fulfil the mandate.

57th meeting
27 March 2015

[Adopted by a recorded vote of 20 to 11, with 16 abstentions. The voting was as follows:

In favour:

Albania, Argentina, Botswana, El Salvador, Estonia, France, Gabon, Germany, Ireland, Japan, Latvia, Mexico, Montenegro, Netherlands, Paraguay, Portugal, Republic of Korea, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

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[61] A/HRC/28/70.

Against:

Bangladesh, Bolivia (Plurinational State of), China, Cuba, India, Indonesia, Kazakhstan, Pakistan, Russian Federation, Venezuela (Bolivarian Republic of), Viet Nam

Abstaining:

Algeria, Brazil, Congo, Côte d'Ivoire, Ethiopia, Ghana, Kenya, Maldives, Morocco, Namibia, Nigeria, Qatar, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates]

28/22. Situation of human rights in the Democratic People's Republic of Korea

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other human rights instruments,

Recalling all previous resolutions adopted by the Commission on Human Rights, the Human Rights Council and the General Assembly on the situation of human rights in the Democratic People's Republic of Korea, including Council resolution 25/25 of 28 March 2014 and Assembly resolution 69/188 of 18 December 2014, and urging the implementation of those resolutions,

Bearing in mind paragraph 3 of General Assembly resolution 60/251 of 15 March 2006,

Recalling its resolutions 5/1, on institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with those resolutions and annexes thereto,

Stressing the importance of following up on the recommendations contained in the report of the commission of inquiry on human rights in the Democratic People's Republic of Korea,[62] which was welcomed by both the Human Rights Council and the General Assembly, and transmitted to the relevant bodies of the United Nations, including the Security Council,

Deeply concerned at the systematic, widespread and gross human rights violations in the Democratic People's Republic of Korea that, in many instances, constitute crimes against humanity, as well as at the impunity of perpetrators, as described in the report of the commission of inquiry,

Concerned that the precarious humanitarian situation in the country is exacerbated by the failure of the Government of the Democratic People's Republic of Korea to provide humanitarian agencies with free and unimpeded access to all populations in need and by its national policy priorities that, among others, prioritize military spending over citizens' access to food,

Reaffirming that it is the responsibility of the Government of the Democratic People's Republic of Korea to ensure the full enjoyment of all human rights and fundamental freedoms of its entire population, including by ensuring equal access to adequate food, as well as, among others, freedom of religion or belief, freedom of expression and freedom of association and assembly,

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[62] A/HRC/25/63.

Recognizing that particular risk factors affect women, children, persons with disabilities and the elderly, and the need to ensure the full enjoyment of all their human rights and fundamental freedoms by them against neglect, abuse, exploitation and violence,

Acknowledging the participation of the Democratic People's Republic of Korea in the second universal periodic review process, noting the acceptance by the Government of the Democratic People's Republic of Korea of 113 out of the 268 recommendations contained in the outcome of the review and its stated commitment to implement them and to look into the possibility of implementing a further 58 recommendations, and emphasizing the importance that the Democratic People's Republic of Korea accept and implement the recommendations in order to address the grave human rights violations in the country,

Recognizing the important work of the treaty bodies in monitoring the implementation of international human rights obligations, and emphasizing the need for the Democratic People's Republic of Korea to comply with its human rights obligations and to ensure regular and timely reporting to the treaty bodies,

Noting the importance of the issue of international abductions and of the immediate return of all abductees, taking note of the outcome of the government-level consultation between the Democratic People's Republic of Korea and Japan in May 2014, and expecting concrete and positive results from the investigations being conducted by the Democratic People's Republic of Korea on all the Japanese nationals, in particular victims of abduction,

Noting also the importance of inter-Korean dialogue, which could contribute to the improvement of the human rights and humanitarian situation in the Democratic People's Republic of Korea,

Stressing that the resumption of the reunions of separated families across the border is an urgent humanitarian concern of the entire Korean people that needs to be resolved without further delay, and hoping that necessary arrangements for further reunions on a larger scale and a regular basis will be made by the Democratic People's Republic of Korea, the Republic of Korea and members of the Korean diaspora,

Reaffirming the importance of States engaging fully and constructively with the Human Rights Council, including with the universal periodic review process and other mechanisms of the Council, for the improvement of their situation of human rights,

1. *Condemns in the strongest terms* the long-standing and ongoing systematic, widespread and gross human rights violations and other human rights abuses committed in the Democratic People's Republic of Korea, and expresses its grave concern at the detailed findings made by the commission of inquiry in its report, including:

(*a*) The denial of the right to freedom of thought, conscience and religion, as well as of the rights to freedom of opinion, expression and association, which is enforced through an absolute monopoly on information and total control over organized social life, and arbitrary and unlawful State surveillance that permeates the private lives of all citizens;

(*b*) Discrimination based on the *songbun* system, which classifies people on the basis of State-assigned social class and birth, and also includes consideration of political opinions and religion, discrimination against women, including unequal access to employment, discriminatory laws and regulations, and violence against women;

(*c*) Violations of all aspects of the right to freedom of movement, including forced assignment to State-designated places of residence and employment, often based on the *songbun* system, and denial of the right to leave one's own country;

(*d*) Systematic, widespread and grave violations of the right to food and related aspects of the right to life, exacerbated by widespread hunger and malnutrition;

(*e*) Violations of the right to life and acts of extermination, murder, enslavement, torture, imprisonment, rape and other grave forms of sexual violence and persecution on political, religious and gender grounds in political prison camps and ordinary prisons, and the widespread practice of collective punishment with harsh sentences imposed on innocent individuals;

(*f*) Systematic abduction, denial of repatriation and subsequent enforced disappearance of persons, including those from other countries, on a large scale and as a matter of State policy;

2. *Urges* the Government of the Democratic People's Republic of Korea to acknowledge the human rights violations in the country and to take immediate steps to end all such violations and abuses through, inter alia, the implementation of relevant recommendations in the report of the commission of inquiry, including, but not limited to, the following steps:

(*a*) To ensure the right to freedom of thought, conscience and religion, as well as the rights to freedom of opinion, expression and association, including by permitting the establishment of independent newspapers and other media;

(*b*) To end discrimination against citizens, including State-sponsored discrimination based on the *songbun* system, and to take immediate steps to ensure gender equality and to protect women from gender-based violence;

(*c*) To ensure the right to freedom of movement, including the freedom to choose one's place of residence and employment;

(*d*) To promote equal access to food, including through full transparency regarding the provision of humanitarian assistance so that such assistance is genuinely provided to vulnerable persons;

(*e*) To immediately halt all human right violations relating to prison camps, including the practice of forced labour, to dismantle all political prison camps and to release all political prisoners, to immediately cease the practice of the arbitrary execution of persons in custody, and to ensure that justice sector reforms provide protections for a fair trial and due process;

(*f*) To resolve the issue of all persons who have been abducted or otherwise forcibly disappeared, as well as their descendants, in a transparent manner, including by ensuring their immediate return;

3. *Reiterates its deep concern* at the commission's findings concerning the situation of refugees and asylum seekers returned to the Democratic People's Republic of Korea, and other citizens of the Democratic People's Republic of Korea who have been repatriated from abroad and made subject to sanctions, including internment, torture, cruel, inhumane and degrading treatment, sexual violence, enforced disappearance or the death penalty, and in this regard strongly urges all States to respect the fundamental principle of non-refoulement, to treat humanely those who seek refuge and to ensure unhindered access to the United Nations High Commissioner for Refugees and the Office of the High Commissioner, with a view to protecting the human rights of those who seek refuge, and once again urges State parties to comply with their obligations under international human rights law as well as the Convention relating to the Status of Refugees and the Protocol thereto in

relation to persons from the Democratic People's Republic of Korea who are covered by those instruments;

4. *Stresses and restates its grave concern* about the commission's finding that the body of testimony gathered and the information received provided reasonable grounds to believe that crimes against humanity have been committed in the Democratic People's Republic of Korea, pursuant to policies established at the highest level of the State for decades; these crimes against humanity entail extermination, murder, enslavement, torture, imprisonment, rape, forced abortions and other sexual violence, persecution on political, religious, racial and gender grounds, the forcible transfer of populations, the enforced disappearance of persons and the inhumane act of knowingly causing prolonged starvation;

5. *Stresses* that the authorities of the Democratic People's Republic of Korea have failed to prosecute those responsible for crimes against humanity and other human rights violations, and encourages the members of the international community to cooperate with accountability efforts and to ensure that these crimes do not remain unpunished;

6. *Welcomes* General Assembly resolution 69/188, in which the Assembly decided to submit the report of the commission of inquiry to the Security Council and encouraged it to consider the relevant conclusions and recommendations of the commission and to take appropriate action to ensure accountability, including through consideration of referral of the situation in the Democratic People's Republic of Korea to the International Criminal Court and consideration of the scope for effective targeted sanctions against those who appear to be most responsible for acts that, according to the commission, may constitute crimes against humanity;

7. *Also welcomes* the decision of the Security Council to add the situation in the Democratic People's Republic of Korea to the list of issues of which the Council is seized, the holding of an open Council meeting on 22 December 2014 during which the situation of human rights in the Democratic People's Republic of Korea was discussed, and looks forward to the continued and active engagement of the Council on this matter;

8. *Commends* the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea for the activities undertaken to date and his continued efforts in the conduct of his mandate despite the lack of access to the country;

9. *Welcomes* the report of the Special Rapporteur submitted to the Human Rights Council at its twenty-eighth session,[63] in which the Special Rapporteur proposed, among other things, a strategy to address the issue of international abductions, enforced disappearances and related matters in a comprehensive way, including the holding of an international conference thereon;

10. *Also welcomes* the call of the Special Rapporteur for sustained action on this issue by the Human Rights Council, including through a panel discussion to serve as a prominent platform to bring together relevant stakeholders;

11. *Decides* to convene a panel discussion on the situation of human rights in the Democratic People's Republic of Korea, including the issue of international abductions, enforced disappearances and related matters, at its thirtieth session, and requests the Office of the United Nations High Commissioner for Human Rights to liaise with States and all stakeholders, including relevant United Nations funds, agencies and programmes, treaty bodies, special procedures of the Human Rights

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[63] A/HRC/28/71.

Council, national human rights institutions and civil society with a view to ensuring their participation in the panel discussion;

12. *Also decides* to extend the mandate of the Special Rapporteur of the situation of human rights in the Democratic People's Republic of Korea in accordance with Human Rights Council resolution 25/25 for a period of one year;

13. *Calls again upon* all parties concerned, including United Nations bodies, to consider implementation of the recommendations made by the commission of inquiry in its report in order to address the dire situation of human rights in the Democratic People's Republic of Korea;

14. *Welcomes* the steps taken by the Office of the High Commissioner towards establishing a field-based structure in the Republic of Korea to strengthen the monitoring and documentation of the situation of human rights in the Democratic People's Republic of Korea, to ensure accountability, to provide the Special Rapporteur with increased support, to enhance the engagement and capacity-building of the Governments of all States concerned, civil society and other stakeholders and to maintain the visibility of the situation of human rights in the Democratic People's Republic of Korea, including through sustained communications, advocacy and outreach initiatives, and requests the Office to present an oral update to the Human Rights Council at its thirtieth session, and a comprehensive report at its thirty-first session on the role and achievements of the Office, including on the field-based structure;

15. *Calls upon* all States to undertake to ensure that the field-based structure of the Office of the High Commissioner can function with independence, that it has sufficient resources and that it is not subjected to any reprisals or threats;

16. *Requests* the Office of the High Commissioner to report on its follow-up efforts in the regular annual report of the Secretary-General submitted to the General Assembly on the situation of human rights in the Democratic People's Republic of Korea, effective as of the sixty-ninth session of the Assembly;

17. *Requests* the Special Rapporteur to submit regular reports to the Human Rights Council and to the General Assembly on the implementation of his mandate, including on the follow-up efforts made in the implementation of the recommendations of the commission of inquiry;

18. *Acknowledges* that the Special Rapporteur held a dialogue with the representatives of the Democratic People's Republic of Korea in New York on 27 October 2014, and urges the Government of the Democratic People's Republic of Korea, through continuous dialogues, to invite and to cooperate fully with the Special Rapporteur, to give the Special Rapporteur and supporting staff unrestricted access to visit the country, and to provide them with all information necessary to enable them to fulfil such a mandate, and also to promote technical cooperation with the Office of the High Commissioner;

19. *Encourages* the United Nations system, including its specialized agencies, States, regional intergovernmental organizations, interested institutions, independent experts and non-governmental organizations to develop constructive dialogue and cooperation with special procedure mandate holders, including the Special Rapporteur, and the field-based structure of the Office of the High Commissioner;

20. *Encourages* all States that have relations with the Democratic People's Republic of Korea to use their influence to encourage it to take immediate steps to end all human rights violations, including by closing political prison camps and undertaking profound institutional reforms;

21. *Requests* the Secretary-General to provide the Special Rapporteur and the Office of the High Commissioner with regard to the field-based structure with all the assistance and adequate staffing necessary to carry out the mandate effectively, and to ensure that the mandate holder receives the support of the Office of the High Commissioner;

22. *Decides* to transmit all reports of the Special Rapporteur to all relevant bodies of the United Nations and to the Secretary-General for appropriate action.

57th meeting
27 March 2015

[Adopted by a recorded vote of 27 to 6, with 14 abstentions. The voting was as follows:

In favour:

Albania, Argentina, Botswana, Brazil, Côte d'Ivoire, El Salvador, Estonia, France, Germany, Ghana, Ireland, Japan, Kazakhstan, Latvia, Maldives, Mexico, Montenegro, Morocco, Netherlands, Paraguay, Portugal, Republic of Korea, Sierra Leone, the former Yugoslav Republic of Macedonia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Bolivia (Plurinational State of), China, Cuba, Russian Federation, Venezuela (Bolivarian Republic of), Viet Nam

Abstaining:

Algeria, Bangladesh, Congo, Ethiopia, Gabon, India, Indonesia, Kenya, Namibia, Nigeria, Pakistan, Qatar, Saudi Arabia, South Africa]

28/23. Situation of human rights in Myanmar

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights, and reaffirming previous resolutions on the situation of human rights in Myanmar, the most recent being Human Rights Council resolution 25/26 of 28 March 2014 and General Assembly resolution 69/248 of 29 December 2014, and President's statement PRST/23/1 of 14 June 2013,

Welcoming the work and reports of the Special Rapporteur on the situation of human rights in Myanmar and the cooperation of the Government of Myanmar with the Special Rapporteur, including the facilitation of her visits to the country from 17 to 26 July 2014 and 7 to 16 January 2015,

Recalling its resolution 5/1, on institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

1. *Welcomes* the positive developments in Myanmar and the commitment of the Government of Myanmar to continue on its path of political, economic and democratic reform, encourages its continued efforts towards national reconciliation and the promotion and protection of human rights and, while recognizing the scale of the reform effort undertaken to date, encourages the Government to take further steps to consolidate the progress made and to address outstanding issues;

2. *Also welcomes* the continued engagement of the Government of Myanmar with political actors within the Parliament and the opposition parties, urges the Government to continue constitutional reform and to ensure that the constitutional referendum and the elections to be held in 2015 and beyond are credible, inclusive and transparent, ensuring equal opportunity for the representation and participation of women as candidates and voters and that all the people of Myanmar are able to cast their vote, allowing all candidates to fairly contest and the international community to monitor the elections, and ensuring that the democratic transition of Myanmar is sustained by bringing all national institutions, including the military, under a democratically elected, fully representative civilian government;

3. *Recalls* the earlier release of prisoners of conscience, stresses the important role played by the Committee for Scrutinizing the Remaining Prisoners of Conscience, encourages the continuation of the work of the newly constituted Prisoners of Conscience Affairs Committee and the incorporation of broader representation from the political prisoners' community, and urges the Government of Myanmar to fulfil its commitment to the unconditional release of all remaining political prisoners, including all political activists, journalists, human rights defenders and peaceful protesters recently detained or convicted, and to provide for the full rehabilitation of former prisoners of conscience;

4. *Calls upon* the Government of Myanmar to implement its obligations to protect the right to freedom of expression, association and peaceful assembly, to allow for free and independent media and to take appropriate steps to ensure the safety and security of journalists, civil society activists and human rights defenders and their freedom to pursue their activities, and to maintain particular vigilance to ensure that these freedoms and the operating space for civil society are fully protected in the approach to the elections;

5. *Encourages* the Government of Myanmar to ensure that the National Human Rights Commission is able to discharge its functions fully and in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

6. *Urges* the Government of Myanmar to step up its efforts to end all remaining human rights violations and abuses, including arbitrary arrest and detention, forced displacement, rape and other forms of sexual violence, torture and cruel, inhuman and degrading treatment or punishment, arbitrary deprivation of property, including land, and violations of international humanitarian law in some parts of the country, and repeats its call upon the Government to take the measures necessary to ensure accountability and to end impunity;

7. *Encourages* the Government of Myanmar to take further steps to strengthen good governance and the rule of law, welcomes the ongoing efforts aimed at reviewing and reforming legislation, including the Constitution, stresses the need for and the relevance of such reforms, recalls the importance of ensuring their compatibility with international standards and democratic principles, and calls upon the Government and political actors to continue legal reform, to address the need for an independent, impartial and effective judiciary and an independent and self-governing professional organization of lawyers, and to consider ratifying additional international instruments, including international human rights conventions, and incorporating them into national legislation;

8. *Urges* the Government of Myanmar to accelerate its efforts to address discrimination, human rights violations, incitement to violence, acts of violence, displacement and economic deprivation affecting members of ethnic and religious minorities, to take all measures necessary to prevent attacks against Muslims and

members of other minorities and to hold actors who incite and commit violence accountable, calls upon the Government to ensure the right to vote, freedom of movement and equal access to services, including health and education, and also calls upon the Government to ensure that any legislation on the protection of race and religion is consistent with the transition towards national reconciliation and an open democratic society, and fully consistent with international human rights treaties to which Myanmar is a party;

9. *Expresses concern* at the increase in nationalist-based intolerance of religious and ethnic minorities, as well as of the United Nations and other international organizations, urges the Government of Myanmar and political leaders to publicly condemn such discourse, and calls upon the Government to take all necessary and appropriate action, in conformity with its international human rights obligations, to combat violence;

10. *Reiterates its serious concern* about the situation of persons belonging to the Rohingya minority and other minorities in Rakhine State, including further instances of violence and other abuses that have led all communities to suffer tremendous trauma, and about reports in the past year of attacks against and abuses of Muslim minorities elsewhere in the country and about intimidation of and threats to the United Nations and other humanitarian workers operating in Rakhine State, and calls upon the Government of Myanmar to protect all civilians from violence, to allow for self-identification, to ensure full respect for human rights and fundamental freedoms, and rapid and unimpeded access to humanitarian assistance without discrimination across Rakhine State and the safe and voluntary return of internally displaced persons to their communities of origin, and to allow freedom of movement for all persons belonging to the Rohingya minority;

11. *Expresses concern* at the declaration of the Government of Myanmar that all white card identity documents would expire on 31 March 2015, which will deny persons belonging to the Rohingya minority any form of identification and the right to vote, and calls upon the Government to issue identity documents for all current white card holders, without discrimination, including all persons belonging to the Rohingya minority, to ensure equal access to full citizenship and related rights and, while welcoming some measures taken by the Government, encourages it, as well as political and civil society leaders, to facilitate interfaith and intercommunity dialogue, including in Rakhine State, and to undertake full, transparent and independent investigations into all reports of human rights violations and abuses, to address the root causes, to ensure accountability and to bring about reconciliation;

12. *Encourages* continued efforts towards a durable nationwide ceasefire with ethnic armed groups and towards an all-inclusive political dialogue leading to comprehensive political solutions, emphasizes the importance of the full, equal and effective participation of women, particularly from communities affected by conflict, in all activities related to the prevention and resolution of armed conflict, the maintenance of peace and security and post-conflict peacebuilding, with the objective of achieving lasting peace; expresses concern at the declaration of a state of emergency and the imposition of martial law in the Kokang self-administered zone and at the increased fighting in Shan and Kachin States; and urges the full implementation of existing ceasefire agreements, including for all parties, to protect the civilian population against violations and abuses of human rights and violations of international humanitarian law and for safe, timely, rapid and unimpeded humanitarian access to be granted to all areas;

13. *Welcomes* the continued engagement and continued cooperation of the Government of Myanmar with the United Nations, including the Special Representative of the Secretary-General for Children and Armed Conflict, the United

Nations Country Task Force on Monitoring and Reporting, co-chaired by the United Nations Children's Fund and the Resident Coordinator for the United Nations, the International Labour Organization and other international actors, and the progress made towards ending the recruitment and use of child soldiers in Myanmar and the elimination of forced labour, including the Government's continued commitment to the joint action plan with the Country Task Force on Monitoring and Reporting to end and prevent the recruitment and use of children by the armed forces, and encourages its full implementation and also the implementation of other relevant agreements, including the commitment to end forced labour by 2015;

14. *Expresses concern* at further delays, while recalling the commitment of the Government of Myanmar to open a country office of the Office of the United Nations High Commissioner for Human Rights, notes the ongoing negotiations and calls upon the Government to promptly establish the office with a full mandate, to specify a process for the opening of the office in accordance with the mandate of the High Commissioner, and to cooperate with other United Nations actors in the country;

15. *Encourages* the international community to continue to support the Government of Myanmar in the fulfilment of its international human rights obligations and commitments, the implementation of its democratic transitional process and its economic and social development, and calls upon all business enterprises to meet their responsibility to respect human rights in accordance with the Guiding Principles on Business and Human Rights;

16. *Decides* to extend for one year the mandate of the Special Rapporteur on the situation of human rights in Myanmar in accordance with the relevant resolutions of the Commission on Human Rights and Human Rights Council resolutions 7/32 of 28 March 2008, 10/2 of 27 March 2009, 13/25 of 26 March 2010, 16/24 of 25 March 2011, 19/21 of 23 March 2012, 22/14 of 21 March 2013 and 25/26, and invites the Special Rapporteur to include in her next report, inter alia, further recommendations on the needs of Myanmar, including with regard to technical assistance and capacity-building, and information on the progress in the electoral process and reform in the run-up to the 2015 elections and in the post-electoral period;

17. *Calls upon* the Government of Myanmar to continue its cooperation with the Special Rapporteur in the exercise of the mandate, including by facilitating further visits and, while recognizing the cooperation of the Government with the Special Rapporteur, calls upon the Office of the High Commissioner to provide the Special Rapporteur with all the assistance and resources necessary to enable her to discharge the mandate fully;

18. *Requests* the Special Rapporteur to submit a progress report to the General Assembly at its seventieth session and to the Human Rights Council in accordance with its annual programme of work;

19. *Expresses its strong support* for the good offices mission and commitment of the Secretary-General, and calls upon the Government of Myanmar to ensure full cooperation with the Secretary-General and his Special Adviser on Myanmar.

57th meeting
27 March 2015

[Adopted without a vote.]

28/24. Human rights in the occupied Syrian Golan

The Human Rights Council,

Deeply concerned at the suffering of the Syrian citizens in the occupied Syrian Golan due to the systematic and continuous violation of their fundamental and human rights by Israel since the Israeli military occupation of 1967,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also all relevant General Assembly resolutions, the most recent being resolution 69/94 of 16 December 2014, in which the Assembly declared that Israel had failed to comply with Security Council resolution 497 (1981) and demanded that it withdraw from all the occupied Syrian Golan,

Reaffirming once more the illegality of the decision by Israel of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force, in accordance with the Charter of the United Nations and the principles of international law,

Taking note with deep concern of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[64] and in this connection deploring the Israeli settlements in the occupied Arab territories and expressing regret at the constant refusal of Israel to cooperate with and to receive the Special Committee,

Guided by the relevant provisions of the Charter, international law and the Universal Declaration of Human Rights, and reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and the relevant provisions of the Hague Conventions of 1899 and 1907 to the occupied Syrian Golan,

Reaffirming the importance of the peace process, which started in Madrid on the basis of Security Council resolutions 242 (1967) of 22 November and 338 (1973) of October 1973, and the principle of land for peace, and expressing its concern at the halting of the peace process in the Middle East and its hope that peace talks will be resumed on the basis of the full implementation of resolutions 242 (1967) and 338 (1973) for the establishment of a just and comprehensive peace in the region,

Reaffirming also the previous relevant resolutions of the Commission on Human Rights and the Human Rights Council, the most recent being Council resolution 25/31 of 28 March 2014,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions of the General Assembly, the Security Council and the Human Rights Council, in particular Security Council resolution 497 (1981), in which the Council decided, inter alia, that the decision of Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel rescind forthwith its decision;

2. *Also calls upon* Israel to desist from its continuous building of settlements, the most recent of which is the settlement campaign being conducted by the so-called Golan Regional Council under the slogan "Come to the Golan", and to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan, and emphasizes that the displaced persons

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[64] See A/69/355.

of the population of the occupied Syrian Golan must be allowed to return to their homes and to recover their property;

3. *Further calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and to desist from its repressive measures against them and from all other practices that obstruct the enjoyment of their fundamental rights and their civil, political, economic, social and cultural rights, some of which are mentioned in the report of the Special Committee to Investigate Israeli Practices affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories;[64]

4. *Calls upon* Israel to allow the Syrian population of the occupied Syrian Golan to visit their families and relatives in the Syrian motherland through the Quneitra checkpoint and under the supervision of the International Committee of the Red Cross, and to rescind its decision to prohibit these visits, as it is in flagrant violation of the Fourth Geneva Convention and the International Covenant on Civil and Political Rights;

5. *Also calls upon* Israel to release immediately the Syrian detainees in Israeli prisons, some of whom have been detained for more than 28 years, and to treat them in conformity with international humanitarian law;

6. *Further calls upon* Israel, in this connection, to allow delegates of the International Committee of the Red Cross to visit Syrian prisoners of conscience and detainees in Israeli prisons accompanied by specialized physicians to assess the state of their physical and mental health and to protect their lives;

7. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, including the Knesset's decision of 22 November 2010 to hold a referendum before any withdrawal from the occupied Syrian Golan and East Jerusalem, that seek to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, and have no legal effect;

8. *Again calls upon* States Members of the United Nations not to recognize any of the above-mentioned legislative or administrative measures;

9. *Requests* the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations organs, specialized agencies, international and regional intergovernmental organizations and international humanitarian organizations, to disseminate it as widely as possible and to report on this matter to the Human Rights Council at its thirty-first session;

10. *Decides* to continue the consideration of the human rights violations in the occupied Syrian Golan at its thirty-first session.

57th meeting
27 March 2015

[Adopted by a recorded vote of 29 to 1, with 17 abstentions. The voting was as follows:

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, Gabon, India, Indonesia, Kazakhstan, Kenya, Maldives, Mexico, Morocco, Namibia, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

United States of America

Abstaining:

Albania, Botswana, Estonia, France, Germany, Ghana, Ireland, Japan, Latvia, Montenegro, Netherlands, Paraguay, Portugal, Republic of Korea, Sierra Leone, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland]

28/25. Right of the Palestinian people to self-determination

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, in particular the provisions of Articles 1 and 55 thereof, which affirm the right of peoples to self-determination, and reaffirming the need for the scrupulous respect of the principle of refraining in international relations from the threat or use of force, as specified in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, adopted by the General Assembly in its resolution 2625 (XXV) of 24 October 1970,

Guided also by the provisions of article 1 of the International Covenant on Economic, Social and Cultural Rights and article 1 of the International Covenant on Civil and Political Rights, which affirm that all peoples have the right to self-determination,

Guided further by the International Covenants on Human Rights, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples, in particular article 1 thereof, as well as by the provisions of the Vienna Declaration and Programme of Action, adopted on 25 June 1993 by the World Conference on Human Rights,[68] and in particular Part I, paragraphs 2 and 3, relating to the right of self-determination of all peoples and especially those subject to foreign occupation,

Recalling General Assembly resolutions 181 A and B (II) of 29 November 1947 and 194 (III) of 11 December 1948, and all other relevant United Nations resolutions, including those adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council, that confirm and define the inalienable rights of the Palestinian people, particularly their right to self-determination,

Recalling also Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002 and 1402 (2002) of 30 March 2002,

Taking note of General Assembly resolution 67/19 of 29 November 2012,

Reaffirming the right of the Palestinian people to self-determination in accordance with the provisions of the Charter, relevant United Nations resolutions and declarations, and the provisions of international covenants and instruments relating to the right to self- determination as an international principle and as a right of all peoples in the world, and emphasizing that this jus cogens norm of international law is a basic prerequisite for achieving a just, lasting and comprehensive peace in the Middle East,

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[68] A/CONF.157/23.

Affirming the applicability of the principle of permanent sovereignty over natural resources to the Palestinian situation as an integral component of the right to self-determination,

Recalling the conclusion of the International Court of Justice, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination, which is a right erga omnes, and considering that the right to self-determination of the Palestinian people is being further violated by Israel through the existence and ongoing expansion of settlements in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming that the United Nations will continue to be engaged on the question of Palestine until the question is resolved in all its aspects in accordance with international law,

1. *Reaffirms* the inalienable, permanent and unqualified right of the Palestinian people to self-determination, including their right to live in freedom, justice and dignity and the right to their independent State of Palestine;

2. *Also reaffirms* its support for the solution of two States, Palestine and Israel, living side by side in peace and security;

3. *Notes* that the fragmentation of the Occupied Palestinian Territory undermines the possibility of the Palestinian people realizing their right to self-determination and is incompatible with the purposes and principles of the Charter of the United Nations, and stresses in this regard the need for respect for and the preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem;

4. *Confirms* that the right of the Palestinian people to permanent sovereignty over their natural wealth and resources must be used in the interest of their national development, the well-being of the Palestinian people and as part of the realization of their right to self-determination;

5. *Urges* all Member States and relevant bodies of the United Nations system to support and assist the Palestinian people in the early realization of their right to self- determination;

6. *Decides* to continue the consideration of this question at its thirty-first session.

57th meeting
27 March 2015

[Adopted by a recorded vote of 45 to 1, with 1 abstention. The voting was as follows:

In favour:

Albania, Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Estonia, Ethiopia, France, Gabon, Germany, India, Indonesia, Ireland, Japan, Kazakhstan, Kenya, Latvia, Maldives, Mexico, Montenegro, Morocco, Namibia, Netherlands, Nigeria, Pakistan, Paraguay, Portugal, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, the former Yugoslav Republic of Macedonia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of), Viet Nam

Against:

United States of America

Abstaining:
Ghana]*

28/26. Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan

The Human Rights Council,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Reaffirming that all States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter and elaborated in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable instruments,

Recalling relevant resolutions of the Commission on Human Rights, the Human Rights Council, the Security Council and the General Assembly reaffirming, inter alia, the illegality of the Israeli settlements in the occupied territories, including in East Jerusalem,

Recalling also Human Rights Council resolution 19/17 of 22 March 2012, in which the Council decided to establish an independent international fact-finding mission to investigate the implications of the Israeli settlements on the human rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan, and recalling the declarations adopted at the Conferences of High Contracting Parties to the Fourth Geneva Convention, held in Geneva on 5 December 2001 and 17 December 2014,

Noting the recent accession by Palestine to several human rights treaties and the core humanitarian law conventions and its accession on 2 January 2015 to the Rome Statute of the International Criminal Court,

Affirming that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention and relevant provisions of customary law, including those codified in Additional Protocol I to the four Geneva Conventions,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory, and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting that the International Court of Justice concluded that the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, had been established in breach of international law,

Taking note of the recent relevant reports of the Secretary-General, the Office of the United Nations High Commissioner for Human Rights, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories and the treaty bodies monitoring compliance with the human rights treaties to which Israel is a party, and the recent reports of the

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* The delegation of Ghana subsequently stated that there had been an error in its voting and that it had intended to vote in favour of the draft text.

Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967,

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,[66]

Noting that Israel has over the years been planning, implementing, supporting and encouraging the establishment and expansion of settlements in the Occupied Palestinian Territory, including East Jerusalem, through, inter alia, the granting of benefits and incentives to settlements and settlers,

Recalling the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, and emphasizing specifically its call for a freeze on all settlement activity, including so-called natural growth, and the dismantlement of all settlement outposts erected since March 2001 and the need for Israel to uphold its obligations and commitments in this regard,

Taking note of General Assembly resolution 67/19 of 29 November 2012, by which, inter alia, Palestine was accorded the status of non-member observer State in the United Nations, and taking note of the follow-up report thereon of the Secretary-General,[67]

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the forcible displacement of Palestinian civilians, including Bedouin families, the exploitation of natural resources, the conduct of economic activity for the benefit of the occupying Power, the disruption of the livelihood of protected persons, the de facto annexation of land and other actions against the Palestinian civilian population and the civilian population in the occupied Syrian Golan that are contrary to international law,

Affirming that the Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, undermine regional and international efforts aimed at the realization of the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, on the basis of the pre-1967 borders,

Noting in this regard that the Israeli settlements fragment the West Bank, including East Jerusalem, into isolated geographical units, severely limiting the possibility of a contiguous territory and the ability to dispose freely of natural resources, both of which are required for the meaningful exercise of Palestinian self-determination,

Noting that the settlement enterprise continues to be a root cause of many violations of the Palestinians' human rights,

Condemning the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, including in East Jerusalem, in violation of international humanitarian law, relevant United Nations resolutions, the agreements reached between the parties and obligations under the Quartet road map and in defiance of the calls by the international community to cease all settlement activities,

Expressing grave concern in particular at the construction and expansion by Israel of settlements in and around occupied East Jerusalem, including its so-called E-

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[66] A/HRC/22/63.

[67] A/67/738.

1 plan, which aims to connect its illegal settlements around and further isolate occupied East Jerusalem, the continuing demolition of Palestinian homes and eviction of Palestinian families from the city, the revocation of Palestinian residency rights in the city and ongoing settlement activities in the Jordan Valley,

Expressing grave concern at the continuing construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, in violation of international law, and expressing its concern in particular at the route of the wall in departure from the Armistice Line of 1949, which is causing humanitarian hardship and a serious decline in socioeconomic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory and undermining its viability, and could prejudge future negotiations by creating a fait accompli on the ground that could be tantamount to de facto annexation in departure from the Armistice Line of 1949, and make the two-State solution physically impossible to implement,

Deeply concerned that the wall's route has been traced in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Gravely concerned at the incidents of violence, destruction, harassment, provocation and incitement by extremist Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians and their properties, which are a long-standing phenomenon that appears to be aimed at, inter alia, displacing the occupied population and facilitating the expansion of settlements,

Stressing the need for Israel to investigate all acts of settler violence against Palestinians and their properties and to ensure accountability for these acts,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard, which precludes the Palestinian people from being able to exercise permanent sovereignty over their natural resources,

Noting that the agricultural sector, considered the cornerstone of Palestinian economic development, has not been able to play its strategic role because of the dispossession of land and the denial of access for farmers to agricultural areas, water resources and domestic and external markets owing to the construction, consolidation and expansion of Israeli settlements,

Recalling Human Rights Council resolution 22/29 of 22 March 2013, in follow-up to the report of the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,

Recalling also the Guiding Principles on Business and Human Rights, which place responsibilities on all business enterprises to respect human rights by, inter alia, refraining from contributing to human rights abuses arising from conflict, and call upon States to provide adequate assistance to business enterprises to assess and address the heightened risks of abuses in conflict-affected areas, including by ensuring that their current policies, legislation, regulations and enforcement measures are effective in addressing the risk of business involvement in gross human rights abuses,

Noting that, in situations of armed conflict, business enterprises should respect the standards of international humanitarian law, and concerned that some business enterprises have enabled, facilitated and profited from the construction and growth of the Israeli settlements in the Occupied Palestinian Territory, *Reaffirming* the fact that the High Contracting Parties to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War undertook to respect and to ensure respect for the Convention in all circumstances, and that States should not recognize an unlawful situation arising from breaches of peremptory norms of international law,

Calling upon all States not to provide Israel with any assistance to be used specifically in connection with settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan,

Emphasizing the importance for States to act in accordance with their own national legislation on promoting compliance with international humanitarian law with regard to business activities that result in human rights abuses,

Concerned about economic activities that allow the expansion and entrenchment of settlements, and aware that the conditions of harvesting and production for products made in settlements involve, inter alia, the exploitation of the natural resources of the Occupied Palestinian Territory, including East Jerusalem,

Expressing its concern at the failure of Israel, the occupying Power, to cooperate fully with the relevant United Nations mechanisms, in particular the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967,

1. *Reaffirms* that the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan, to abide scrupulously by the provisions of the Convention, in particular article 49 thereof, and to comply with all its obligations under international law and cease immediately all actions causing the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan;

3. *Demands* that Israel, the occupying Power, immediately cease all settlement activities in all the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls in this regard for the full implementation of all relevant resolutions of the Security Council, including, inter alia, resolutions 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980 and 1515 (2003) of 19 November 2003;

4. *Also demands* that Israel, the occupying Power, comply fully with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;

5. *Condemns* the continuing settlement and related activities by Israel, including the expansion of settlements, the expropriation of land, the demolition of houses, the confiscation and destruction of property, the expulsion of Palestinians and the construction of bypass roads, which change the physical character and demographic composition of the occupied territories, including East Jerusalem and the Syrian Golan, and constitute a violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular article 49 thereof;

6. *Also condemns* the construction of new housing units for Israeli settlers in the West Bank and around occupied East Jerusalem, as they seriously undermine the

peace process, jeopardize the ongoing efforts by the international community to reach a final and just peace solution compliant with international legitimacy, including relevant United Nations resolutions, and constitute a threat to the two-State solution;

7. *Expresses its grave concern* at, and calls for the cessation of:

(*a*) The operation by Israel of a tramway linking the settlements with West Jerusalem, which is in clear violation of international law and relevant United Nations resolutions;

(*b*) The expropriation of Palestinian land, the demolition of Palestinian homes, demolition orders, forced evictions and "relocation" plans by Israel in areas identified for the expansion and construction of settlements, and other practices aimed at the forcible transfer of the Palestinian civilian population, including Bedouin communities and herders, and further settlement activities, including the denial of access to water by Israel to Palestinians in the Occupied Palestinian Territory, including East Jerusalem, particularly in areas slated for settlement expansion, and including the appropriation of Palestinian property through, inter alia, declarations of so-called "State lands", closed "military zones", "national parks" and "archaeological" sites to facilitate and advance the expansion or construction of settlements and related infrastructure, in violation of Israel's obligations under international humanitarian law and international human rights law;

(*c*) Israeli measures in the form of policies, laws and practices that have the effect of preventing Palestinians from full participation in the political, social, economic and cultural life of the Occupied Palestinian Territory, including East Jerusalem, and prevent their full development in both the West Bank and the Gaza Strip;

8. *Calls upon* Israel, the occupying Power:

(*a*) To reverse the settlement policy in the occupied territories, including East Jerusalem and the Syrian Golan, and, as a first step towards their dismantlement, to stop immediately the expansion of existing settlements, including so-called natural growth and related activities, to prevent any new installation of settlers in the occupied territories, including in East Jerusalem, and to discard its E-1 plan;

(*b*) To put an end to all of the human rights violations linked to the presence of settlements, especially of the right to self-determination, and to fulfil its international obligations to provide effective remedy for victims;

(*c*) To take immediate measures to prohibit and eradicate all policies or practices that discriminate against and disproportionately affect the Palestinian population in the Occupied Palestinian Territory, including East Jerusalem, by, inter alia, putting an end to the system of separate roads for the exclusive use of Israeli settlers who reside illegally in the said territory, to the complex combination of movement restrictions consisting of the wall, roadblocks and a permit regime that only affects the Palestinian population, and to the application of a two-tier legal system;

(*d*) To cease the requisition and expropriation of Palestinian land and the allocation of "State land" for the establishment and expansion of settlements, and to halt the granting of benefits and incentives to settlements and settlers;

(*e*) To put an end to all measures and policies resulting in the territorial fragmentation of the Occupied Palestinian Territory, including East Jerusalem, and which are isolating Palestinian communities into separate enclaves;

(*f*) To take and implement serious measures, including confiscation of arms and enforcement of criminal sanctions, with the aim of ensuring full accountability for and preventing all acts of violence by Israeli settlers, and to take other measures to guarantee the safety and protection of Palestinian civilians and Palestinian properties in the Occupied Palestinian Territory, including East Jerusalem;

(*g*) To bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

(*h*) To cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and of the occupied Syrian Golan;

9. *Welcomes* the adoption of the European Union Guidelines on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the European Union from 2014 onwards;

10. *Encourages* all States and international organizations to continue to actively pursue policies that ensure respect of their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlements;

11. *Reminds* all States of their legal obligations as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004 on the legal consequences of the construction of a wall in the Occupied Palestinian Territory;

12. *Urges* all States:

(*a*) To ensure that they are not taking actions that either recognize or assist the expansion of settlements or construction of the wall in the Occupied Palestinian Territory, including East Jerusalem;

(*b*) To implement the Guiding Principles on Business and Human Rights in relation to the Occupied Palestinian Territory, including East Jerusalem, and to take appropriate measures to help ensure that businesses domiciled in their territory and/or under their jurisdiction, including those owned or controlled by them, refrain from committing or contributing to gross human rights abuses of Palestinians, in accordance with the expected standard of conduct in the Guiding Principles and relevant international laws and standards;

(*c*) To provide information to individuals and businesses on the financial, reputational and legal risks and the possible abuses of the rights of individuals of becoming involved in settlement-related activities, including economic and financial activities, the provision of services in settlements and the purchasing of property, and to consider informing businesses of these risks in the formulation of their national action plans for the implementation of the Guiding Principles on Business and Human Rights;

13. *Encourages* business enterprises to take transparent action to comply with the Guiding Principles on Business and Human Rights with respect to their activities relating to Israeli settlements and the wall in the Occupied Palestinian Territory, including East Jerusalem, to avoid contributing to the establishment or maintenance of Israeli settlements or the exploitation of natural resources of the Occupied Palestinian Territory;

14. *Requests* that all parties concerned, including United Nations bodies, implement and ensure the implementation of the recommendations contained in the report of the independent international fact-finding mission to investigate the

implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, and endorsed by the Human Rights Council through its resolution 22/29, in accordance with their respective mandates;

15. *Calls upon* the relevant United Nations bodies to take all necessary measures and actions within their mandates to ensure full respect for and compliance with Human Rights Council resolution 17/4 of 16 June 2011 on the Guiding Principles on Business and Human Rights and other relevant international laws and standards, and to ensure the implementation of the United Nations "Protect, Respect and Remedy" Framework, which provides a global standard for upholding human rights in relation to business activities that are connected with Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem;

16. *Takes note* of the statement of the Working Group on the issue of human rights and transnational corporations and other business enterprises in follow-up to Human Rights Council resolution 22/29;

17. *Requests* the United Nations High Commissioner for Human Rights to present a report detailing the implementation of the recommendations contained in the report of the independent fact-finding mission on the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian People throughout the Occupied Palestinian Territory, including East Jerusalem, to the Human Rights Council at its thirty-first session;

18. *Requests* the Secretary-General to report on the implementation of the present resolution at its thirty-first session;

19. *Decides* to remain seized of the matter.

57th meeting
27 March 2015

[Adopted by a recorded vote of 45 to 1, with 1 abstention. The voting was as follows:

In favour:

Albania, Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Estonia, Ethiopia, France, Gabon, Germany, Ghana, India, Indonesia, Ireland, Japan, Kazakhstan, Kenya, Latvia, Maldives, Mexico, Montenegro, Morocco, Namibia, Netherlands, Nigeria, Pakistan, Portugal, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, the former Yugoslav Republic of Macedonia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of), Viet Nam

Against:

United States of America

Abstaining:

Paraguay]

28/27. Human rights situation in the Occupied Palestinian Territory, including East Jerusalem

The Human Rights Council,

Recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Optional

Protocol thereto on the involvement of children in armed conflict, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination, and affirming that these human rights instruments, among others, are applicable to and must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Recalling also relevant resolutions of the Human Rights Council,

Taking note of the recent reports of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, and of other relevant recent reports of the Human Rights Council,

Noting the recent accession by Palestine to several human rights treaties and the core humanitarian law conventions, and its accession on 2 January 2015 to the Rome Statute of the International Criminal Court,

Deploring Israel's recurrent practice of withholding Palestinian tax revenues,

Aware of the responsibility of the international community to promote human rights and to ensure respect for international law,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice, and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting in particular the Court's reply, including that the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force, and deeply concerned at the fragmentation of the Occupied Palestinian Territory, including East Jerusalem, through the construction of settlements, settler roads, the wall and other measures that are tantamount to de facto annexation of Palestinian land,

Emphasizing the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and reaffirming the obligation of the States parties to the Fourth Geneva Convention under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Reaffirming that all States have the right and the duty to take actions in conformity with international human rights law and international humanitarian law to counter deadly acts of violence against their civilian population in order to protect the lives of their citizens,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process, including the Sharm el-Sheikh understandings, and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,

Stressing the importance of accountability in preventing future conflicts and ensuring that there is no impunity for violations and abuses, thereby contributing to peace efforts and avoiding the recurrence of violations of international law, including international humanitarian law and international human rights law, *Expressing grave concern* at the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force and military operations causing death and injury to Palestinian civilians, including children and women, to non-violent, peaceful demonstrators and to journalists, including through the use of live ammunition; the use of collective punishment; the closure of areas; the confiscation of land; the establishment and expansion of settlements; the construction of a wall in the Occupied Palestinian Territory in departure from the Armistice Line of 1949; the policies and practices that discriminate against and disproportionately affect the Palestinian population in the Occupied Palestinian Territory, including East Jerusalem; the discriminatory allocation of water resources between Israeli settlers who reside illegally in the Occupied Palestinian Territory, and the Palestinian population of the said Territory; the violation of the basic right to adequate housing, which is a component of the right to an adequate standard of living; the destruction of property and infrastructure; and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

Deploring the conflict in and around the Gaza Strip in July and August 2014 and the civilian casualties caused, including the killing and injury of thousands of Palestinian civilians, including children, women and elderly persons, the widespread destruction of thousands of homes and of civilian infrastructure, including schools, hospitals, water sanitation and electricity networks, economic, industrial and agricultural properties, public institutions, religious sites and United Nations schools and facilities, the internal displacement of hundreds of thousands of civilians, and any violations of international law, including humanitarian and human rights law, in this regard,

Gravely concerned in particular about the disastrous humanitarian situation and the critical socioeconomic and security situations in the Gaza Strip, including that resulting from the prolonged continuous closures and severe economic and movement restrictions that in effect amount to a blockade, and from the continuing and vastly negative repercussions of the military operations between December 2008 and January 2009, in November 2012 and in July and August 2014, as well as about the firing of rockets into Israel,

Stressing that the situation in the Gaza Strip is unsustainable and that a durable ceasefire agreement must lead to a fundamental improvement in the living conditions of the Palestinian people in the Gaza Strip, including through the sustained and regular opening of crossing points, and ensure the safety and well-being of civilians on both sides,

Affirming the need to support the Palestinian national consensus government in its assumption of full government responsibilities in both the West Bank and the Gaza Strip, in all fields, and through its presence at Gaza crossing points,

Expressing deep concern at the short- and long-term detrimental impact of such widespread destruction and the continued impediments to the reconstruction process on the human rights situation and on the socioeconomic and humanitarian conditions of the Palestinian civilian population, compounded by the fact that only about 5 per cent of pledged donations for reconstruction have reached the Gaza Strip, and calling upon the international community to step up its efforts in order to provide the Gaza Strip with the assistance that it requires,

Stressing the need to end immediately the closure of the Gaza Strip and for the full implementation of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population within and into and out of the Gaza Strip, taking into account Israeli concerns,

Stressing the need also for all parties, in conformity with the relevant provisions of international humanitarian law, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel, and the delivery of supplies and equipment, in order to allow such personnel to perform efficiently their task of assisting affected civilian populations, including refugees and internally displaced persons,

Expressing deep concern at the Israeli policy of closures and the imposition of severe restrictions and checkpoints, several of which have been transformed into structures akin to permanent border crossings, other physical obstacles and a permit regime, which are applied in a discriminatory manner affecting the Palestinian population only, and all of which obstruct the freedom of movement of persons and goods, including medical and humanitarian goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and impair the Territory's contiguity, and deeply concerned also at the consequent violation of the human rights of the Palestinian people and the negative impact on their socioeconomic situation and the efforts aimed at rehabilitating and developing the Palestinian economy,

Deploring all policies and practices whereby Israeli settlers who reside illegally in the Occupied Palestinian Territory, including East Jerusalem, are accorded preferential treatment over the Palestinian population in terms of access to roads, infrastructure, land, property, housing, natural resources and judicial mechanisms, resulting in widespread human rights violations of Palestinians,

Emphasizing that the destruction of property and the forced displacement of Palestinian communities in the Occupied Palestinian Territory, including East Jerusalem, constitute, in all but the most limited cases as specified under international law, violations of the prohibitions on destruction of property and forcible transfer, respectively under articles 53 and 49 of the Fourth Geneva Convention,

Deeply concerned at reports of the hampering and destruction of humanitarian assistance by Israel, contributing to a coercive environment that can lead to the forcible transfer of Palestinian civilians in the Occupied Palestinian Territory,

Expressing deep concern that thousands of Palestinians, including many children and women and elected members of the Palestinian Legislative Council, continue to be detained and held in Israeli prisons or detention centres under harsh conditions, including unhygienic conditions, solitary confinement, lack of proper medical care, denial of family visits and denial of due process, that impair their well-being, and expressing deep concern also about the ill-treatment and harassment of any Palestinian prisoner and all reports of torture,

Expressing concern about the possible consequences of the enactment by Israel, the occupying Power, of military orders regarding the detention, imprisonment and deportation of Palestinian civilians from the Occupied Palestinian Territory, including East Jerusalem, and recalling in this regard the prohibition under international humanitarian law of the deportation of civilians from occupied territories,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the violence and protecting the Palestinian civilian population and to help the parties to implement the agreements reached, and in this regard recalling the positive contribution of the Temporary International Presence in Hebron,

Recognizing the continued efforts and tangible progress made in the Palestinian security sector, noting the continued cooperation that benefits both Palestinians and

Israelis, in particular by promoting security and building confidence, and expressing the hope that such progress will be extended to all major population centres,

Emphasizing the right of all people in the region to the enjoyment of human rights as enshrined in the International Covenants on Human Rights,

1. *Stresses* the need for Israel, the occupying Power, to withdraw from the Palestinian territory occupied since 1967, including East Jerusalem, so as to enable the Palestinian people to exercise its universally recognized right to self-determination;

2. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and contrary to the relevant resolutions of the Security Council are illegal and have no validity;

3. *Demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949 and cease immediately all measures and actions taken in violation and in breach of the Convention;

4. *Also demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people, and that it fully respect human rights law and comply with its legal obligations in this regard, including in accordance with relevant United Nations resolutions;

5. *Reiterates* the need for respect for the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory and for guarantees of the freedom of movement of persons and goods within the Palestinian territory, including movement into and from East Jerusalem, into and from the Gaza Strip, between the West Bank and the Gaza Strip, and to and from the outside world;

6. *Stresses* the need for the unhindered passage of ambulances at checkpoints, especially in times of conflict;

7. *Demands* that Israel, the occupying Power, cease immediately its imposition of prolonged closures and economic and movement restrictions, including those amounting to a blockade on the Gaza Strip, which severely restricts the freedom of movement of Palestinians within, into and out of Gaza and their access to basic utilities, housing, education, work, health and an adequate standard of living via various measures, including import and export restrictions, that have a direct impact on livelihoods, economic sustainability and development throughout Gaza, and in this regard calls upon Israel to implement fully the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing in order to allow for the sustained and regular movement of persons and goods and for the acceleration of long overdue reconstruction in the Gaza Strip;

8. *Expresses grave concern* at the confiscation and damage by Israel of fishing nets in the Gaza Strip for which there is no discernible security justification;

9. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, particularly in the Gaza Strip, where bombardment of populated areas has caused extensive loss of life and a vast number of injuries, including among thousands of children and women, massive damage and destruction to homes, economic, industrial and agricultural properties, vital infrastructure, including water, sanitation and electricity networks, religious sites and public institutions, including hospitals and schools, and United Nations facilities, and agricultural lands, and large-scale internal displacement of civilians, and the excessive

use of force by the Israeli occupying forces against Palestinian civilians in the context of peaceful protests in the West Bank;

10. *Also condemns* the firing of rockets against Israeli civilian areas resulting in loss of life and injury;

11. *Calls upon* Israel to cease all violations of the right to education of Palestinians, including those stemming from restrictions on movement and incidents of harassment and attacks on school children and educational facilities by Israeli settlers and as a result of Israeli military action;

12. *Also calls upon* Israel to end any harassment, intimidation and reprisals against human rights defenders who peacefully advocate for the rights of Palestinians in the Occupied Palestinian Territory, including by cooperating with United Nations human rights bodies;

13. *Expresses deep concern* at the conditions of the Palestinian prisoners and detainees, including minors, in Israeli jails and detention centres, demands that Israel, the occupying Power, fully respect and abide by its international law obligations towards all Palestinian prisoners and detainees in its custody, and also expresses its concern at the continued extensive use of administrative detention, calls for a full implementation of the agreement reached in May 2012 for a prompt and independent investigation into all cases of death custody, and also calls upon Israel to release any Palestinian prisoner whose detention is not in accordance with international law;

14. *Calls upon* Israel to explicitly prohibit torture, including psychological torture and other cruel, inhuman or degrading treatment or punishment;

15. *Demands* that Israel cease its policy of transferring prisoners from the Occupied Palestinian Territory into the territory of Israel, and respect fully its obligations under article 76 of the Fourth Geneva Convention;

16. *Urges* Israel to ensure that any arrest, detention and/or trial of Palestinian children is in line with the Convention on the Rights of the Child, including by refraining from holding criminal proceedings against them in military courts that, by definition, fall short of providing the necessary guarantees to ensure respect for their rights and that infringe upon their right to non-discrimination;

17. *Deplores* Israel's resumption of the policy of punitive home demolitions and the ongoing policy of revoking the residency permits of Palestinians living in East Jerusalem through various discriminatory laws, and the demolition of residential structures and the forced eviction of Palestinian families, in violation of their basic right to adequate housing and in violation of international humanitarian law;

18. *Expresses concern* at the Citizenship and Entry into Israel Law adopted by the Knesset, which suspends the possibility, with certain rare exceptions, of family reunification between Israeli citizens and persons residing in the Occupied Palestinian Territory, including East Jerusalem, thus adversely affecting the lives of many families;

19. *Demands* that Israel, the occupying Power, cease all of its settlement activities, the construction of the wall and any other measures aimed at altering the character, status and demographic composition of the Occupied Palestinian Territory, including in and around East Jerusalem, all of which have, inter alia, a grave and detrimental impact on the human rights of the Palestinian people and the prospects for a peaceful settlement;

20. *Also demands* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice and as demanded in General

Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/13 of 21 October 2003, and that it immediately cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith the structure situated therein, repeal or render ineffective all legislative and regulatory acts relating thereto, and make reparation for all damage caused by the construction of the wall, which has had a grave impact on the human rights and the socioeconomic living conditions of the Palestinian people;

21. *Calls upon* Israel to immediately cease any demolitions or plans for demolitions that would result in the forcible transfer or forced eviction of Palestinians, particularly in the vulnerable areas of the Jordan Valley, the periphery of Jerusalem and the South Hebron Hills, to facilitate the return of those Palestinian communities already subjected to forcible transfer or eviction to their original dwellings and to ensure adequate housing and legal security of tenure;

22. *Urges* Israel to ensure that water resource allocation in the Occupied Palestinian Territory is not discriminatory and does not result in water shortages disproportionately affecting the Palestinian population of the West Bank, and to take urgent steps to facilitate the restoration of the water infrastructure of the West Bank, including in the Jordan Valley, affected by the destruction of the wells of local civilians, roof water tanks and other water and irrigation facilities under military and settler operation since 1967;

23. *Deplores* the illegal Israeli actions in occupied East Jerusalem, including home demolitions, evictions of Palestinian residents, excavations in and around religious and historic sites, and all other unilateral measures aimed at altering the character, status and demographic composition of the city and of the territory as a whole;

24. *Expresses* grave concern at:

(*a*) The restrictions imposed by Israel that impede access of Christian and Muslim worshippers to holy sites in the Occupied Palestinian Territory, including East Jerusalem, and calls upon Israel to include guarantees for non-discrimination on grounds of religion or belief as well as for the preservation and peaceful access to all religious sites;

(*b*) The increasing tensions in occupied East Jerusalem and the wider region, including those stemming from attempts aimed at illegally changing the status quo of holy sites;

25. *Urges* Member States to continue to provide emergency assistance to the Palestinian people to alleviate the financial crisis and the dire socioeconomic and humanitarian situation, particularly in the Gaza Strip;

26. *Emphasizes* the need to preserve and develop the Palestinian institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and the promotion of human rights, including civil, political, economic, social and cultural rights;

27. *Deplores* the persistent non-cooperation of Israel with special procedure mandate holders and other United Nations mechanisms, and stresses the need for Israel to abide by all relevant United Nations resolutions and to cooperate with the Human Rights Council, all special procedures and the Office of the United Nations High Commissioner for Human Rights;

28. *Requests* the Office of the High Commissioner to strengthen further the presence of its office in the Occupied Palestinian Territory by, inter alia, deploying the necessary personnel and expertise;

29. *Requests* the Secretary-General to report on the implementation of the present resolution to the Human Rights Council at its thirty-first session;

30. *Decides* to remain seized of the matter.

57th meeting
27 March 2015

[Adopted by a recorded vote of 43 to 1, with 3 abstentions. The voting was as follows:

In favour:

Albania, Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Estonia, Ethiopia, France, Gabon, Germany, Ghana*, India, Indonesia, Ireland, Japan, Kazakhstan, Kenya, Latvia, Maldives, Mexico, Montenegro, Morocco, Namibia, Netherlands, Nigeria, Pakistan, Portugal, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of), Viet Nam

Against:

United States of America

Abstaining:

Botswana, Paraguay, the former Yugoslav Republic of Macedonia]

28/28. Contribution of the Human Rights Council to the special session of the General Assembly on the world drug problem of 2016

For the text of the resolution, see chapter II.

28/29. Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief

The Human Rights Council,

Reaffirming the commitment made by all States under the Charter of the United Nations to promote and encourage universal respect for and observance of all human rights and fundamental freedoms without distinction as to, inter alia, religion or belief,

Reaffirming also Human Rights Council resolutions 16/18 of 24 March 2011, 19/25 of 23 March 2012, 22/31 of 22 March 2013 and 25/34 of 28 March 2014, as well as General Assembly resolutions 66/167 of 19 December 2011, 67/178 of 20 December 2012, 68/169 of 18 December 2013 and 69/174 of 18 December 2014,

Reaffirming further the obligation of States to prohibit discrimination on the basis of religion or belief and to implement measures to guarantee the equal and effective protection of the law,

Reaffirming that the International Covenant on Civil and Political Rights provides, inter alia, that everyone shall have the right to freedom of thought, conscience and religion or belief, which shall include freedom to have or to adopt a religion or belief of his choice and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching,

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* The delegation of Ghana subsequently stated that there had been an error in its voting and that it had intended to abstain.

Reaffirming also the positive role that the exercise of the right to freedom of opinion and expression and full respect for the freedom to seek, receive and impart information can play in strengthening democracy and combating religious intolerance, and also that the exercise of the right to freedom of expression carries with it special duties and responsibilities, in accordance with article 19 of the International Covenant on Civil and Political Rights,

Expressing deep concern at those acts that advocate religious hatred and thereby undermine the spirit of tolerance,

Reaffirming that terrorism, in all its forms and manifestations, cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Reaffirming also that violence can never be an acceptable response to acts of intolerance on the basis of religion or belief,

Reaffirming further the positive role that the exercise of the right to freedom of opinion and expression and the full respect for the freedom to seek, receive and impart information can play in strengthening democracy and combating religious intolerance,

Reaffirming the positive role of human rights education and training in promoting tolerance, non-discrimination and equality,

Deeply concerned about incidents of intolerance, discrimination and violence against persons based on their religion or belief in all regions of the world,

Deploring any advocacy of discrimination or violence on the basis of religion or belief,

Strongly deploring all acts of violence against persons on the basis of their religion or belief, as well as any such acts directed against their homes, businesses, properties, schools, cultural centres or places of worship,

Concerned about actions that wilfully exploit tensions or target individuals on the basis of their religion or belief,

Noting with deep concern the instances of intolerance, discrimination and acts of violence in many parts of the world, including cases motivated by discrimination against persons belonging to religious minorities, in addition to the negative projection of the followers of religions and the enforcement of measures that specifically discriminate against persons on the basis of religion or belief,

Expressing concern at the growing manifestation of intolerance based on religion or belief that can generate hatred and violence among individuals from and within different nations that may have serious implications at the national, regional and international levels, and in this regard emphasizing the importance of respect for religious and cultural diversity as well as interfaith and intercultural dialogue aimed at promoting a culture of tolerance and respect among individuals, societies and nations,

Recognizing the valuable contribution of people of all religions or beliefs to humanity and the contribution that dialogue among religious groups can make towards an improved awareness and understanding of the common values shared by all humankind,

Recognizing also that working together to enhance the implementation of existing legal regimes that protect individuals against discrimination and hate crimes, increase interfaith and intercultural efforts and expand human rights education are an important first step in combating incidents of intolerance, discrimination and violence against individuals on the basis of religion or belief,

Taking note of General Assembly resolution 68/127 on "A world against violence and violent extremism", adopted by the Assembly by consensus on 18 December 2013, and welcoming the leading role of the United Nations Educational, Scientific and Cultural Organization in promoting intercultural dialogue, the work of the United Nations Alliance of Civilizations and the Anna Lindh Euro-Mediterranean Foundation for Dialogue between Cultures, as well as the work of the King Abdullah Bin Abdulaziz International Centre for interreligious and intercultural dialogue in Vienna, and Assembly resolution 65/5 of 20 October 2010 on World Interfaith Harmony Week proposed by King Abdullah II of Jordan,

Welcoming in this regard all international, regional and national initiatives aimed at promoting interreligious, intercultural and interfaith harmony and combating discrimination against individuals on the basis of religion or belief, including the launching of the Istanbul Process, and taking note of the recent initiative of the chairmanship of Albania of the Committee of Ministers of the Council of Europe under the theme "United in diversity" and the initiative of the Office of the United Nations High Commissioner for Human Rights on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence,

1. *Expresses deep concern* at the continued serious instances of derogatory stereotyping, negative profiling and stigmatization of persons based on their religion or belief, as well as programmes and agendas pursued by extremist organizations and groups aimed at creating and perpetuating negative stereotypes about religious groups, in particular when condoned by Governments;

2. *Expresses its concern* that incidents of religious intolerance, discrimination and related violence, as well as of negative stereotyping of individuals on the basis of religion or belief, continue to rise around the world, condemns in this context any advocacy of religious hatred against individuals that constitutes incitement to discrimination, hostility or violence, and urges States to take effective measures, as set forth in the present resolution, consistent with their obligations under international human rights law, to address and combat such incidents;

3. *Condemns deeply* any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual or electronic media or any other means;

4. *Welcomes* international, regional and national initiatives aimed at promoting interreligious, intercultural and interfaith harmony and combating discrimination against individuals on the basis of religion or belief, in particular the series of experts' meetings held in Washington, D.C., London, Geneva and Doha, in the framework of the Istanbul process to discuss the implementation of Human Rights Council resolution 16/18;

5. *Notes* the efforts of the Office of the United Nations High Commissioner for Human Rights and the holding of four regional workshops, in Austria, Chile, Kenya and Thailand, on separate but related issues, as well as the final workshop in Morocco and its outcome document, the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, and the recommendations and conclusions contained therein;

6. *Recognizes* that the open, public debate of ideas, as well as interfaith and intercultural dialogue, at the local, national and international levels can be among the

best protections against religious intolerance and can play a positive role in strengthening democracy and combating religious hatred, and convinced that continuing dialogue on these issues can help to overcome existing misperceptions;

7. *Notes* the speech given by Secretary-General of the Organization of the Islamic Conference at the fifteenth session of the Human Rights Council, and draws on his call on States to take the following actions to foster a domestic environment of religious tolerance, peace and respect by:

(*a*) Encouraging the creation of collaborative networks to build mutual understanding, promoting dialogue and inspiring constructive action towards shared policy goals and the pursuit of tangible outcomes, such as servicing projects in the fields of education, health, conflict prevention, employment, integration and media education;

(*b*) Creating an appropriate mechanism within Governments to, inter alia, identify and address potential areas of tension between members of different religious communities, and assisting with conflict prevention and mediation;

(*c*) Encouraging the training of government officials in effective outreach strategies;

(*d*) Encouraging the efforts of leaders to discuss within their communities the causes of discrimination, and evolving strategies to counter these causes;

(*e*) Speaking out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence;

(*f*) Adopting measures to criminalize incitement to imminent violence based on religion or belief;

(*g*) Understanding the need to combat denigration and negative religious stereotyping of persons, as well as incitement to religious hatred, by strategizing and harmonizing actions at the local, national, region and international levels through, inter alia, education and awareness-building;

(*h*) Recognizing that the open, constructive and respectful debate of ideas, as well as interfaith and intercultural dialogue at the local, national and international levels, can play a positive role in combating religious hatred, incitement and violence;

8. *Calls upon* all States:

(*a*) To take effective measures to ensure that public functionaries, in the conduct of their public duties, do not discriminate against an individual on the basis of religion or belief;

(*b*) To foster religious freedom and pluralism by promoting the ability of members of all religious communities to manifest their religion, and to contribute openly and on an equal footing to society;

(*c*) To encourage the representation and meaningful participation of individuals, irrespective of their religion, in all sectors of society;

(*d*) To make a strong effort to counter religious profiling, which is understood to be the invidious use of religion as a criterion in conducting questionings, searches and other law enforcement investigative procedures;

9. *Encourages* States to consider providing updates on efforts made in this regard as part of ongoing reporting to the Office of the High Commissioner;

10. *Calls upon* States to adopt measures and policies to promote full respect for and protection of places of worship and religious sites, cemeteries and shrines, and to take measures in cases where they are vulnerable to vandalism or destruction;

11. *Takes note* of the report submitted by the High Commissioner pursuant to Human Rights Council resolution 25/34 summarizing contributions received from States, and also takes note of the conclusions of the report based on those contributions;

12. *Stresses* the urgent need to implement all parts of the action plan outlined in paragraphs 7 and 8 above with equal focus and attention in order to address religious intolerance;

13. *Requests* the High Commissioner to prepare and submit to the Human Rights Council a comprehensive follow-up report with elaborated conclusions based upon information provided by States on the efforts and measures taken by them for the implementation of the action plan outlined in paragraphs 7 and 8 above, as well as their views on potential follow-up measures for further improvement of the implementation of that plan; and, as a special case, in order to provide sufficient time to Member States to submit their inputs, the next report of the High Commissioner may be presented by the thirty-fourth session of the Human Rights Council, while subsequent reports would be presented on an annual basis as and when requested in follow-up resolutions on this subject;

14. *Calls for* strengthened international efforts to foster a global dialogue for the promotion of a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religions and beliefs.

58th meeting
27 March 2015

[Adopted without a vote.]

28/30. Technical assistance and capacity-building to improve human rights in Libya

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and relevant international human rights treaties,

Confirming the primary responsibility of States to promote and protect human rights,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of Libya,

Looking forward to a future for Libya based on national reconciliation, justice, respect for human rights and the rule of law,

Recalling all its previous relevant resolutions on Libya,

Taking note with appreciation of the joint reports of the United Nations Support Mission in Libya and the Office of the United Nations High Commissioner for Human Rights of 4 September and 23 December 2014, and the High Commissioner's statement of 14 October 2014 condemning attacks on human rights defenders, political activists, bloggers and media professionals in Libya, *Welcoming* the steps taken by the interim Government in Libya to address human rights issues, including the promulgation of a transitional justice law on 8 December 2013, the law against torture and discrimination on 9 April 2013 and the decree to redress the situation of victims of rape and other violence on 19 February 2014, while expressing grave concern that, since January 2014, the security and political crisis has undermined the transition to democracy, which is the aspiration of the Libyan people,

Expressing concern about the impact of the security and political crisis and of terrorism on the people of Libya, including loss of life, mass displacement and its particular impact on women and children, damage to property and infrastructure, including schools and hospitals, the use of schools as military bases and the shortages of medical supplies and treatment,

Expressing concern also about the impact of the security and political crisis and of terrorism on migrants, in particular the increase in the number of deaths of migrants attempting to cross the Mediterranean Sea,

Emphasizing the need for a political solution to the conflict, for an immediate ceasefire and for all parties to cease violence, expressing full support for the efforts led by the Special Representative of the Secretary-General for Libya to facilitate talks and to establish a national unity government, and underscoring the importance of the equal and full participation of all parts of Libyan society, including women and youth, in the political process,

Reaffirming that those responsible for violations or abuses of human rights, violations of international humanitarian law and terrorism should be held accountable, and that counter-terrorism measures must be consistent with applicable international law,

1. *Condemns* all violations and abuses of human rights and violations of international humanitarian law, including those involving unlawful killings, indiscriminate shelling and attacks on civilians, abductions and assassinations, including of government officials, judges, human rights activists, journalists and members of civil society organizations, shelling of hospitals, looting of property, and restrictions on freedom of expression;

2. *Condemns in the strongest terms* the terrorist acts, hostage-taking and violence committed against civilians by the so-called Islamic State in Iraq and the Levant (Daesh in Libya) and other terrorist organizations, their violent extremist ideology and their continued gross, systematic and widespread abuse of human rights and violations of international humanitarian law, and reaffirms that terrorism, including the actions of the so-called Islamic State in Iraq and the Levant, cannot and should not be associated with any religion, nationality or civilization;

3. *Strongly urges* the Government of Libya to investigate human rights violations and abuses and to hold those responsible to account;

4. *Strongly urges* all parties immediately to cease violations and abuses and to engage fully in the United Nations-led dialogue for peace aimed at the establishment of a Government of national unity, in order to avert further deterioration in the humanitarian crisis suffered by Libyans as a result of the conflict and to prevent the further erosion of the sovereignty and security of Libya, and urges all fighters and their leaders to declare that violations and abuses of human rights will not be tolerated and that individuals suspected of such acts will be removed from duty;

5. *Calls* for those responsible for violations or abuses of international human rights law, including sexual violence and violations and abuses against children, to be held accountable in accordance with international standards;

6. *Calls upon* the Government of Libya to increase efforts to end impunity, and takes note of its continued cooperation with the International Criminal Court to ensure that those responsible for violations of human rights and international humanitarian law, including attacks targeting civilians, are held accountable;

7. *Recognizes* the ongoing human rights challenges in Libya, strongly encourages the Government of Libya to increase its efforts to protect and promote human rights and to prevent any violations or abuses, and in this regard calls upon the international community to provide assistance for Libyan efforts to establish the rule of law, due process and access to justice, including through capacity-building in the justice system to enable effective accountability;

8. *Urges* the international community to support the Government and the Parliament of Libya to fully assume their responsibilities to promote and protect the human rights of the Libyan people;

9. *Expresses grave concern* at the rise in the number of conflict-related detainees, including children, and at reports of torture and sexual and gender-based violence in detention centres, calls upon the Government urgently to increase its efforts to establish full and effective control over all detention centres, in order to ensure that detainees, including foreign detainees, are treated in accordance with its international obligations, including, where applicable, those relating to fair trial guarantees and humane treatment in detention;

10. *Welcomes* the commitment of the Government of Libya to human rights and its continued cooperation with the Human Rights Council and its mechanisms, including the wish expressed by the Government to continue its cooperation with the United Nations High Commissioner for Human Rights and to renew its invitation for him to visit Libya, and urges the Government:

(*a*) To take further steps to protect freedom of expression, ensuring that the media can operate freely and without discrimination, to review the provisions of the Penal Code and other provisions that violate freedom of expression, and to abolish all Penal Code restrictions on free speech that stipulate imprisonment and the death penalty for "insults" to officials, the judiciary and the State, for "slander" and for blasphemy;

(*b*) To intensify efforts to prevent acts of torture, to investigate all allegations of torture, to hold those responsible to account and to consider providing fair and adequate compensation for victims;

(*c*) To make further progress towards the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(*d*) To promote the continued operation of the National Council for Civil Liberties and Human Rights in conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles);

(*e*) To participate openly and constructively in its upcoming universal periodic review;

(*f*) To further empower women and girls, including by ensuring their full representation in politics, the police and the judiciary;

(*g*) To ensure the protection of cultural rights and freedom of religion and belief, in accordance with its international obligations, and to take appropriate steps to help to prevent all attacks on and destruction of cultural and religious sites in violation of international law, particularly those on the World Cultural and Natural Heritage List of the United Nations Educational, Scientific and Cultural Organization, and to prosecute those responsible for such attacks;

(*h*) To take further steps to guarantee freedom of association and assembly, including by reviewing the articles of the Penal Code that undermine freedom of association and by adopting a law for civil society organizations that is in accordance with international standards on freedom of association, that ensures the protection of human rights defenders and that only includes legal limitations that comply with the international treaty obligations of Libya;

11. *Urges* the Government of Libya, the international community, the United Nations and all parties to the conflict to facilitate the full, equal and effective participation of women in all activities relating to the prevention and resolution of the armed conflict, the maintenance of peace and security and post-conflict peacebuilding in accordance with relevant Security Council resolutions, including resolutions 1325 (2000) of 31 October 2000 and 2122 (2013) of 18 October 2013;

12. *Encourages* the Libyan Constitutional Assembly to intensify its efforts to draft a constitution that protects the human rights of all, including women and members of all communities and vulnerable groups, and to ensure, as far as possible, the participation of all members of society, including civil society organizations, in the process of drafting the constitution;

13. *Emphasizes* the importance of a broad-based and inclusive national dialogue in order to ensure a peaceful and sustainable democratic transition;

14. *Recognizes* the efforts made by States in tracing, freezing and recovering stolen assets and the importance of effective cooperation between the international community and the Libyan authorities in this regard, taking into account the potential of the recovery of these assets in helping the Libyan authorities to improve security, development and the realization of all the human rights of all Libyans;

15. *Takes note* of the final report of the international commission of inquiry on Libya,[68] and encourages the Government of Libya to implement fully the recommendations contained therein;

16. *Takes note with appreciation* of the report of the Office of the High Commissioner on the situation of human rights in Libya and on related technical support and capacity-building needs;[69]

17. *Recognizes* the security, political and economic challenges faced by the Government of Libya, which have been exacerbated by armed conflict;

18. *Requests* the High Commissioner urgently to dispatch a mission to investigate violations and abuses of international human rights law committed in Libya since the beginning of 2014, and to establish the facts and circumstances of such abuses and violations with a view to avoiding impunity and ensuring full accountability, in coordination with the United Nations Support Mission in Libya, inviting the assistance of relevant experts, particularly the National Council for Civil Liberties and Human Rights, and of special procedure mandate holders, and to submit to the Human Rights Council at its thirty-first session, under agenda item 10, a written report on its findings, which should also contain an update on technical assistance, capacity-building and cooperation with the Government of Libya, with recommendations for future capacity-building needs that include but are not limited to the justice system and accountability;

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[68] A/HRC/19/68.

[69] A/HRC/28/51.

19. *Also requests* the High Commissioner to provide the Council, at its thirtieth session, with an oral update, to be followed by a stand-alone interactive dialogue, under agenda item 10, and invites the Special Representative of the Secretary-General for Libya to participate in the interactive dialogue, which should include a focus on ensuring accountability for human rights violations and abuses in Libya.

58th meeting
27 March 2015

[Adopted without a vote.]

28/31. Technical assistance and capacity-building for Mali in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and other relevant international human rights instruments,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also its resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the Code of Conduct for Special Procedures Mandate Holders of the Human Rights Council, both of 18 June 2007,

Recalling further its resolutions 20/17 of 6 July 2012 on the situation of human rights in Mali, 22/18 of 21 March 2013, in which it established a mandate for an independent expert on the situation of human rights in Mali, and 25/36 of 28 March 2014, in which it extended the mandate of the Independent Expert,

Reaffirming that all States have a responsibility to promote and protect the human rights and fundamental freedoms enshrined in the Charter, the Universal Declaration of Human Rights, the international covenants on human rights and other relevant international human rights instruments to which they are parties,

Reaffirming also its commitment to the sovereignty, independence, unity and territorial integrity of Mali,

Deeply concerned about the establishment of terrorist groups in the Sahel region, about continued armed attacks, about human rights abuses and violations in Mali, and about the security situation, which continue to hinder humanitarian access in the northern part of the country,

Welcoming the signing of the ceasefire agreement of 23 May 2014 and the declaration of cessation of hostilities of 19 February 2015,

Acknowledging the Peace and National Reconciliation Agreement signed in Algiers on 1 March 2015 upon the culmination of an inclusive process of international mediation between the Malian parties led by Algeria,

Noting the commitments made by the Government of Mali during various sessions of the Council to place priority on dialogue and national reconciliation in resolving the crisis,

Noting also the commitments made by the Government of Mali to restore the rule of law and to combat impunity effectively,

Noting further the initiation in January 2013 of an investigation by the Prosecutor of the International Criminal Court into crimes committed in the territory of Mali since January 2012, and recalling that it is important for all Malian stakeholders to lend the Court their support and cooperation,

Taking note with appreciation of the report of the Independent Expert on the situation of human rights in Mali,[70]

1. *Strongly condemns* the armed attacks and all acts of violence that have been perpetrated in Mali, particularly in the northern regions of the country, as well as the abuses and violations of human rights and international humanitarian law that have been committed against civilians, including women and children, and the recruitment of the latter;

2. *Reiterates its call* for an immediate halt to such abuses and to all human rights violations and acts of violence and for the strict observance of all human rights and fundamental freedoms;

3. *Calls upon* the Government of Mali to continue its efforts to protect human rights and to promote national reconciliation, in particular by strengthening the judiciary, developing transitional justice mechanisms and effectively redeploying government services throughout the country;

4. *Notes* the efforts made by the Government of Mali to bring all perpetrators of human rights violations before impartial and independent courts and of its continued cooperation with the International Criminal Court;

5. *Acknowledges* the establishment in Mali of a ministry in charge of national reconciliation and the efforts undertaken by the Government of Mali to place priority on achieving a lasting peaceful settlement of the crisis;

6. *Reiterates its call* for an increase in the participation of women in the national reconciliation process, in conformity with the relevant Security Council resolutions;

7. *Encourages* the Government of Mali to expedite the establishment of the Commission for Truth, Justice and Reconciliation and to allow it to take up its work as soon as possible in order to ensure that the rights of victims to justice, reparation and guarantees of non-repetition of human rights violations are fully recognized;

8. *Welcomes* the signing of the Peace and National Reconciliation Agreement of 1 March 2015 and calls on all Malian parties to sign it;

9. *Encourages* the Malian authorities and all regional and international actors to continue their joint efforts to resolve the crisis in Mali, and urges all such actors to persist in their efforts to consolidate the gains made in the security situation in Mali;

10. *Commends* in this context the United Nations Multidimensional Integrated Stabilization Mission in Mali on its work;

11. *Requests* all parties to ensure their strict observance of international human rights law and international humanitarian law;

12. *Welcomes* the organization of free and democratic presidential and legislative elections in Mali and the full restoration of constitutional order in the country;

13. *Reiterates its appreciation* for the humanitarian assistance already provided to members of the population affected by the crisis, and urges the international community to continue to deliver, in consultation with the Government of Mali and the bordering countries concerned, appropriate and secure humanitarian assistance to refugees and displaced persons, particularly in the north of Mali, with a view to

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[70] A/HRC/28/83 and Corr.1.

facilitating the population's access to basic social services and to establishing the conditions for the country's gradual recovery;

14. *Notes with satisfaction* the close cooperation of the Government of Mali with the Independent Expert in the fulfilment of the mandate entrusted to him;

15. *Acknowledges* the commitments made by the Government of Mali to act upon the recommendations made by the Independent Expert following his visits to the country;

16. *Decides* to extend the mandate of the Independent Expert on the situation of human rights in Mali for a period of one year to permit the evaluation of the human rights situation in Mali and to assist the Government of Mali in its efforts to promote and protect human rights and to strengthen the rule of law;

17. *Calls upon* all parties in Mali to cooperate fully with the Independent Expert and to assist him to carry out his mandate;

18. *Requests* the Independent Expert, within the bounds of his mandate, to work closely with all entities of the United Nations, the African Union, the Economic Community of West African States, neighbouring States and all other international organizations concerned and with Malian civil society and to report thereon to the Human Rights Council at its thirty-first session;

19. *Invites* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide the Independent Expert with all the assistance he needs in order to discharge his mandate fully;

20. *Requests* the High Commissioner to provide technical assistance to the Government of Mali, in particular to the Commission for Truth, Justice and Reconciliation, and to work with the Government to identify other areas of assistance with a view to supporting Mali in its efforts to promote and protect human rights and to strengthen its institutional capacity;

21. *Urges* the international community to continue to provide assistance to Mali to ensure its stability with a view to promoting respect for all human rights and the determined struggle against impunity, which paves the way for national reconciliation, peace and social cohesion;

22. *Decides* to remain seized of this matter.

58th meeting
27March 2015

[Adopted without a vote.]

28/32. Technical assistance and capacity-building in strengthening human rights in Iraq in the light of the abuses committed by Daesh and associated terrorist groups

The Human Rights Council,

Guided by the Charter of the United Nations,

Recalling Security Council resolutions 1624 (2005) of 14 September 2005, 2169 (2014) of 30 July 2014, 2170 (2014) of 15 August 2014 and 2199 (2015) of 12 February 2015, General Assembly resolution 60/288 of 8 September 2006 and Human Rights Council resolution 25/7 of 27 March 2014,

Recalling also Human Rights Council resolution S-22/1 of 1 September 2014, *Taking note* of the report of the Office of the United Nations High Commissioner for Human Rights on the mission dispatched by the Office of the High Commissioner to investigate alleged violations and abuses of international human rights law committed by the so-called Islamic State in Iraq and the Levant and associated terrorist groups,[71]

Reaffirming that the protection and promotion of human rights and fundamental freedoms are the responsibility of Governments,

Noting the efforts of the Government of Iraq, notably the current Government of national unity formed in September 2014 to promote and protect human rights,

1. *Condemns in the strongest possible terms* the continued, widespread and grave abuses of human rights and violations of international humanitarian law committed by Daesh and associated terrorist groups, and strongly condemns in particular all violence committed against persons based on their religion or ethnicity and attacks on civilians, particularly against women and children;

2. *Urges* the Government of Iraq to investigate all alleged abuses and violations of human rights and violations of international humanitarian law;

3. *Urges* the international community to assist Iraq in its efforts to ensure humanitarian assistance to internally displaced persons fleeing the areas affected by violence, and to put in place measures to protect the sites of mass graves of those killed by Daesh;

4. *Requests* the United Nations High Commissioner for Human Rights to provide technical assistance to the Government of Iraq to assist in the promotion and protection of human rights, including by all Iraqi parties, and to provide a written report thereon to the Human Rights Council at its thirtieth session.

58th meeting
27 March 2015

[Adopted without a vote.]

28/33. Strengthening of technical cooperation and consultative services in Guinea

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights and other applicable human rights instruments,

Recalling General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 13/21 of 26 March 2010, 16/36 of 25 March 2011, 19/30 of 23 March 2012, 23/23 of 14 June 2013 and 25/35 of 28 March 2014,

Reaffirming that all States have an obligation to promote and protect the human rights and fundamental freedoms set forth in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant human rights instruments to which they are parties,

Noting with satisfaction the efforts made by Guineans and the international community, in particular the African Union and the Economic Community of West African States, to establish democratic institutions and to strengthen the rule of law,

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[71] A/HRC/28/18.

Welcoming the progress made by the Guinean authorities in guaranteeing freedom of opinion and expression,

Recalling the recommendations of the International Commission of Inquiry established by the Secretary-General and supported by the African Union and the Economic Community of West African States,

Recalling also that it is the primary responsibility of the Government of Guinea to protect its population, to conduct inquiries into allegations of human rights violations and to bring perpetrators to justice,

1. *Recognizes* the efforts made by the Government of Guinea to strengthen the rule of law and improve the human rights situation in the country;

2. *Welcomes* the existence of the new Ministry of Human Rights and Civil Liberties and its constructive work and the mainstreaming of human rights in the reform of the security sector;

3. *Encourages* the Guinean authorities to mainstream human rights in all public policies;

4. *Calls upon* the Guinean authorities to pursue their efforts to guarantee freedom of peaceful assembly and association, including freedom of the media and the protection of journalists;

5. *Also calls upon* the Guinean authorities to make the justice, truth and reconciliation process operational;

6. *Firmly reiterates* its commitment to accession to power by democratic means and condemns all incitement to ethnic and/or racial hatred;

7. *Calls upon* the Government of Guinea to ensure that the elections to be held in 2015 take place within the specified time frame, in conditions of peace, transparency and security, and with full respect for human rights and democratic principles;

8. *Urges* all political stakeholders:

(*a*) To continue to take an active part in good faith in the political dialogue, particularly on issues regarding the organization of free, transparent, inclusive and peaceful elections;

(*b*) To prevent any act of violence that harms the democratization process under way and to refrain from committing such acts;

(*c*) To be actively involved in the national reconciliation process;

9. *Encourages* the Government of Guinea to make the national commission established in 2013 for the study and prevention of the problem of violence operational;

10. *Welcomes* the efforts by the Government of Guinea to undertake reforms in the security and defence sectors that incorporate respect for human rights and guarantee the enjoyment of civil and political rights and calls upon the Government to continue human rights training for the security forces;

11. *Also welcomes* the progress made with regard to the reform of the justice sector, including the establishment of the Supreme Council of Justice and the enhancement of judges' conditions of service;

12. *Encourages* the Government of Guinea to adopt and carry out reforms aimed at strengthening the administration of justice in order to combat impunity and consolidate respect for human rights;

13. *Calls upon* the Government of Guinea to ensure that the national human rights institution that has been established is compliant with the Paris Principles;

14. *Encourages* the Government of Guinea to pursue its efforts to fight impunity, in particular the judicial proceedings initiated in connection with the violence allegedly committed by the security forces, notably in 2007 and 2013;

15. *Urges* the Government of Guinea to adopt the following supplementary measures:

(*a*) To support the work of the panel of judges appointed to investigate the events of 28 September 2009, and expedite judicial proceedings against those responsible for the violence, including the acts of sexual violence committed against women and girls;

(*b*) To guarantee the necessary means and security conditions for the panel of judges so that its members may effectively fulfil their mandate;

(*c*) To ensure the safety and protection of the witnesses and victims and provide them with appropriate redress and assistance, including in the form of medical and psychological support;

(*d*) To compensate the families of victims who lost their lives as a result of the events of 28 September 2009 and provide redress for the physical and psychological suffering inflicted upon those who were wounded;

16. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Guinea in 2014;[72]

17. *Firmly reiterates* its appeal to the international community:

(*a*) To provide the Government of Guinea with appropriate assistance to promote respect for human rights, the fight against impunity and the reform of the security and justice sectors, as well as the initiatives that are under way to promote truth, justice and national reconciliation;

(*b*) To support the efforts of the Government of Guinea to combat the Ebola virus and strengthen the resilience of its health-care system;

(*c*) To support the Office of the United Nations High Commissioner for Human Rights in Guinea;

(*d*) To support the Ministry of Human Rights and Civil Liberties in the implementation of its plan of action;

18. *Invites* the High Commissioner to report to the Human Rights Council at its thirty-first session on the situation of human rights and the work of the Office of the High Commissioner in Guinea;

19. *Decides* to remain seized of this matter.

58th meeting
27 March 2015

[Adopted without a vote.]

28/34. Prevention of genocide

For the text of the resolution, see chapter II.

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[72] A/HRC/28/50.

B. Decisions

28/101. Outcome of the universal periodic review: Italy

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Italy on 27 October 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Italy, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/28/4), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/28/4/Add.1 and A/HRC/28/2, chap. VI).

37th meeting
18 March 2015

[Adopted without a vote.]

28/102. Outcome of the universal periodic review: El Salvador

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of El Salvador on 27 October 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of El Salvador, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/28/5), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/28/5/Add.1 and A/HRC/28/2, chap. VI).

37th meeting
18 March 2015

[Adopted without a vote.]

28/103. Outcome of the universal periodic review: Plurinational State of Bolivia

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of the Plurinational State of Bolivia on 28 October 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of the Plurinational State of Bolivia, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/28/7), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/28/7/Add.1 and A/HRC/28/2, chap. VI).

38th meeting
18 March 2015

[Adopted without a vote.]

28/104. Outcome of the universal periodic review: Fiji

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Fiji on 29 October 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Fiji, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/28/8), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/28/8/Add.1 and A/HRC/28/2, chap. VI).

38th meeting
18 March 2015

[Adopted without a vote.]

28/105. Outcome of the universal periodic review: San Marino

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process, *Having conducted* the review of San Marino on 29 October 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of San Marino, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/28/9), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/28/9/Add.1 and A/HRC/28/2, chap. VI).

38th meeting
18 March 2015

[Adopted without a vote.]

28/106. Outcome of the universal periodic review: Kazakhstan

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Kazakhstan on 30 October 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Kazakhstan, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/28/10), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/28/10/Add.1 and A/HRC/28/2, chap. VI).

39th meeting
19 March 2015

[Adopted without a vote.]

28/107. Outcome of the universal periodic review: Angola

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Angola on 30 October 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1, *Decides* to adopt the outcome of the review of Angola, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/28/11), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/28/11/Add.1 and A/HRC/28/2, chap. VI).

39th meeting
19 March 2015

[Adopted without a vote.]

28/108. Outcome of the universal periodic review: Islamic Republic of Iran

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of the Islamic Republic of Iran on 31 October 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of the Islamic Republic of Iran, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/28/12), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/28/12/Add.1 and A/HRC/28/2, chap. VI).

39th meeting
19 March 2015

[Adopted without a vote.]

28/109. Outcome of the universal periodic review: Iraq

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Iraq on 3 November 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Iraq, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/28/14), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/28/14/Add.1 and A/HRC/28/2, chap. VI).

41st meeting
19 March 2015

[Adopted without a vote.]

28/110. Outcome of the universal periodic review: Madagascar

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Madagascar on 3 November 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Madagascar, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/28/13), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/28/13/Add.1 and A/HRC/28/2, chap. VI).

41st meeting
19 March 2015

[Adopted without a vote.]

28/111. Outcome of the universal periodic review: Slovenia

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Slovenia on 4 November 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Slovenia, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/28/15), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/28/15/Add.1 and A/HRC/28/2, chap. VI).

41st meeting
19 March 2015

[Adopted without a vote.]

28/112. Outcome of the universal periodic review: Egypt

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Egypt on 5 November 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Egypt, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/28/16), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/28/16/Add.1 and A/HRC/28/2, chap. VI).

42nd meeting
20 March 2015

[Adopted without a vote.]

28/113. Outcome of the universal periodic review: Bosnia and Herzegovina

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Bosnia and Herzegovina on 5 November 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Bosnia and Herzegovina, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/28/17), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/28/17/Add.1 and A/HRC/28/2, chap. VI).

42nd meeting
20 March 2015

[Adopted without a vote.]

28/114. Outcome of the universal periodic review: Gambia

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions

5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of the Gambia on 28 October 2014 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of the Gambia, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/28/6), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/28/6/Add.1 and A/HRC/28/2, chap. VI).

54th meeting
26 March 2015

[Adopted without a vote.]

C. President's statements

PRST 28/1. Twentieth anniversary of the Fourth World Conference on Women and of the adoption of the Beijing Declaration and Platform for Action

At the 52nd meeting, held on 25 March 2015, the President of the Human Rights Council made the following statement:

"The Human Rights Council:

1. Notes that 2015 marks the twentieth anniversary of the Fourth World Conference on Women, held in Beijing in 1995 and the adoption of the Beijing Declaration and Platform for Action, which have contributed greatly to the achievement of gender equality and the empowerment of women and girls, while recognizing the importance of the implementation of these commitments and translating them into effective action by all States, the United Nations system and all other relevant stakeholders;

2. Welcomes the progress made towards achieving gender equality, but also notes that major challenges and obstacles remain in the implementation of the Beijing Declaration and Platform for Action, the outcome of the twenty-third special session of the General Assembly [73] and the declarations of the Commission on the Status of Women on the tenth and fifteenth anniversaries of the Fourth World Conference on Women;

3. Stresses that the full, effective and accelerated implementation of the Beijing Declaration and Platform for Action is essential to achieving the internationally agreed development goals, including the Millennium Development Goals;

4. Welcomes the inclusion of gender equality and the empowerment of all women and girls as a stand-alone goal in the proposed sustainable development goals, and looks forward to the integration of a gender perspective into the post-2015 development agenda;

5. Calls upon States to take concrete steps towards promoting and protecting all human rights of women and girls, eliminating all forms of

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[73] Resolution S-23/2, annex, and resolution S-23/3, annex.

discrimination and violence against women and girls and removing impediments to the development of their full potential as equal partners with men and boys, directed to achieve gender equality and the empowerment of women in all spheres of life, including decision-making processes at all levels, bearing in mind that the equal enjoyment of the right to education is one of the keys to the empowerment of women and girls and for ensuring equality and non-discrimination;

6. Reaffirms that Governments bear the primary responsibility for the achievement of gender equality and the empowerment of women and girls, and that international cooperation has an essential role to play in assisting developing countries in progressing towards the full implementation of the Beijing Declaration and Platform for Action;

7. Endorses the pledge made by States in the political declaration on the occasion of the twentieth anniversary of the Fourth World Conference on Women adopted at the fifty-ninth session of the Commission on the Status of Women on 9 March 2015, and looks forward to the global leaders' meeting on gender equality and women's empowerment on 26 September 2015."

PRST 28/2. Seventieth anniversary of the end of the Second World War

At the 55th meeting, held on 26 March 2015, the President of the Human Rights Council made the following statement:

"The Human Rights Council:

1. Recalls that 2015 marks the seventieth anniversary of the end of the Second World War, a war that brought untold sorrow to humankind, particularly in Europe, Asia, Africa, the Pacific and other parts of the world;

2. Pays tribute to all victims of the Second World War, including the victims of the Holocaust, of war crimes and crimes against humanity;

3. Stresses that this historic event established the conditions for the creation of the United Nations, designed to save succeeding generations from the scourge of war and to reaffirm faith in fundamental human rights and dignity and the worth of the human person, in the equal rights of men and women and of nations large and small;

4. Calls upon the States Members of the United Nations to unite their efforts in dealing with the challenges and threats to international peace and security, with the United Nations playing a central role, and to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations, and to settle all disputes by peaceful means in conformity with the Charter of the United Nations;

5. Underlines the progress made since the end of the Second World War in overcoming its legacy and in promoting reconciliation, international and regional cooperation and democratic values, human rights and fundamental freedoms, in particular through the United Nations, and the establishment of regional and subregional and other appropriate frameworks."

PRST 28/3. Situation of human rights in Haiti

At the 58th meeting, held on 27 March 2015, the President of the Human Rights Council read out the following statement:

"The Human Rights Council:

1. Thanks the Independent Expert for his report on the situation of human rights in Haiti[74] and takes note of the latest legal and political developments in Haiti, including the progress achieved in civil and political rights, and in economic, social and cultural rights:

(*a*) The implementation, in May 2014, of phase II of the legal aid bureaux plan to make justice accessible to the most disadvantaged;

(*b*) The enactment in 2014 of the law on preventing and combating corruption and the law on paternity, maternity and filiation;

(*c*) The launching in Kenscoff on 23 February 2015, as part of the Three-year Agricultural Revival Programme, of the "Spring Agricultural Campaign" aimed at increasing the production and availability of basic foodstuffs for the Haitian people;

(*d*) The announcement, on 5 March 2015, of the development of a new security plan for the metropolitan region in order to bring an end to violence in the capital;

(*e*) The nomination of a new President of the Court of Cassation and of the High Council of the Judiciary, and his inauguration on 9 March 2015;

(*f*) The launching, on 11 March 2015, by the Government, the United Nations and their partners, of a Transitional Appeal for the period 2015-2016 aimed at reducing extreme vulnerability of population groups and enhancing resilience in Haiti;

(*g*) The submission to the President of the Republic, on 13 March 2015, of the preliminary draft revision of the Criminal Code by the members of the Presidential Commission on Judicial Reform, which was established in January 2012;

(*h*) The continuous work of the Interministerial Human Rights Committee, created in May 2013, which is responsible for coordinating and harmonizing public human rights policy.

2. Also welcomes the renewed commitment of Haiti to the effective implementation of the international human rights treaties to which Haiti is a party, with the submission to the Human Rights Committee in October 2014 of its initial report on the implementation of the International Covenant on Civil and Political Rights and the forthcoming submission by Haiti to the treaty bodies concerned of its reports on the rights of the child, in January 2016, on economic, social and cultural rights, in January 2016, and on the elimination of all forms of discrimination against women, in February 2016;

3. Further welcomes the reaffirmation of the commitment of the Haitian authorities to improving the living conditions of Haitian women and men by, inter alia, devoting greater attention to respect for human rights;

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[74] A/HRC/28/82.

4. *Also welcomes* the inauguration, on 23 January 2015, of a new Provisional Electoral Council, the publication by the Provisional Electoral Council of the electoral decree and election timetable, and the official launching of the electoral process on 13 March 2015. The Human Rights Council calls on the Haitian authorities and all parties concerned to respect the electoral timetable published in the Official Gazette and to ensure that the elections are properly conducted;

5. *Encourages* the Government of Haiti, in this context, to continue strengthening the rule of law by, inter alia, combating impunity and corruption and tackling crime and its causes. The Council strongly urges the Haitian Government to continue building the capacity of the national police force and the justice system with a view to ensuring the proper functioning of public institutions and services and the enjoyment of all human rights;

6. *Welcomes* the launching, on 2 March 2015, of the "Crackdown" operation designed to provide an urgent and structured response to the phenomenon of prolonged pretrial detention as well as the establishment of a "Crackdown" Commission. The Council calls on the Government of Haiti to step up its efforts to address the causes of prolonged pretrial detention and to reduce the number of cases;

7. *Encourages* the Government of Haiti to strengthen national human rights institutions, particularly the Office of Citizen Protection, and to provide it with adequate resources;

8. *Urges* the Government of Haiti to continue to adopt the necessary political and legal measures to safeguard the rights of members of vulnerable groups, including child domestic workers;

9. *Also urges* the Haitian Government to increase women's participation in political affairs and to continue to combat gender-based violence and discrimination;

10. *Acknowledges* that the full enjoyment of both civil and political rights and economic, social and cultural human rights constitutes a factor conducive to peace, stability and development in Haiti;

11. *Encourages* the international community as a whole and, in particular, international donors, the Group of Latin American and Caribbean States, the group of countries known as the Friends of Haiti, and specialized agencies of the United Nations, particularly the Office of the United Nations High Commissioner for Human Rights, to step up their cooperation and coordination efforts with the Haitian authorities with a view to the full realization of all human rights in Haiti;

12. *Welcomes and approves* the request of the Haitian authorities for a one-year extension of the mandate of the Independent Expert on the situation of human rights in Haiti, which concerns technical assistance and capacity-building;

13. *Encourages* the Independent Expert to continue to work with international institutions, donors and the international community to raise their awareness of the need to provide their expertise and sufficient resources to support the efforts of the Haitian authorities to rebuild the country and pursue sustainable development;

14. *Also encourages* the Independent Expert to continue to work with the Government of Haiti, Haitian non-governmental organizations and civil society

in Haiti. It invites the Haitian Government to continue its active cooperation with civil society;

15. Invites the Independent Expert to assist the Government of Haiti in implementing his own recommendations and those made by other special procedures;

16. Invites the Independent Expert to submit his report on the situation of human rights in Haiti to the Council at its thirty-first session. It further invites him to undertake a mission to Haiti and to report on that mission to the Council at its thirty-first session."

IV. Twenty-third special session

S-23/1. Atrocities committed by the terrorist group Boko Haram and its effects on human rights in the affected States

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights and other relevant international human rights instruments,

Reaffirming that all States have the responsibility to promote and protect the human rights and fundamental freedoms enshrined in the Charter, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments to which they are a party,

Recalling the mandate of the Human Rights Council as set out in General Assembly resolution 60/251 of 15 March 2006,

Stressing the importance of all resolutions adopted by the General Assembly on measures to eliminate international terrorism, including resolutions 42/159 of 7 December 1987, 46/51 of 9 December 1991, 49/60 of 9 December 1994, 60/288 of 8 September 2006, 68/119 of 16 December 2013, 68/178 of 18 December 2013 and 69/127 of 18 December 2014, and reaffirming the commitments resulting from the United Nations Global Counter-Terrorism Strategy and its four pillars,

Recalling previous resolutions of the Commission on Human Rights on human rights and terrorism and the resolutions of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism and the resolution 18/10 of 29 September 2011 on human rights and issues relating to hostage-taking by terrorists,

Recalling also Security Council resolutions 1269 (1999) of 19 October 1999, 1368 (2001) of 12 September 2001, 1373 (2001) of 28 September 2001 and 2133 (2014) of 27 January 2014, the Convention on the Prevention and Combating of Terrorism adopted by the Organization of African Unity on 14 July 1999, the solemn declaration adopted on the occasion of the fiftieth anniversary of the Organization of African Unity/African Union, in May 2013, and the decision on Boko Haram adopted by the African Union Peace and Security Council on 23 May 2014,

Recalling further the statements by the President of the Security Council S/PRST/2014/17, made on 27 August 2014, and S/PRST/2015/4, made on 19 January 2015,

Welcoming the declaration of the African Union on Boko Haram, adopted on 31 January 2015 at the twenty-fourth ordinary session of the Assembly of African Union Heads of State and Government,

Welcoming also the conclusions of the meeting of Ministers of Foreign Affairs and of Defence on Boko Haram, of 20 January 2015, in Niamey,

Welcoming further the Yaoundé Declaration of States members of the Council for Peace and Security in Central Africa, on the fight against the terrorist group Boko Haram, of 16 February 2015,

Recalling the need to strengthen international, regional and subregional cooperation to efficiently prevent and counter terrorism and the conditions conducive to terrorism, including by strengthening the national capacity of the States concerned, *Reaffirming* that the promotion and protection of human rights for all and the rule of law are essential to the fight against terrorism, and recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but are complementary and mutually reinforcing,

Expressing concern at the continuing increase in incidents of kidnapping and hostage-taking by terrorists and their impact on the realization and enjoyment of human rights,

Noting with deep concern that the activities of Boko Haram significantly disrupt the socioeconomic life of the populations in the north-eastern part of Nigeria and neighbouring areas of the Lake Chad Basin, in northern Cameroon, in Chad and the extreme east of the Niger,

Strongly condemning the heinous terrorist activities of Boko Haram, which endanger the peace, security and stability of the entire region,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality civilization or ethnic group,

Deeply concerned by the continued atrocities and abuses of international human rights law and violations of international humanitarian law committed by the terrorist organisation called Boko Haram, including those involving the targeting of civilians, including children, school girls, women, minority religious and ethnic groups, educational institutions, market places public transport, as well as the recruitment and use of children, sexual and gender based violence, the destruction and confiscation of public and private property, and the use of minors and forced recruitment of female suicide bombers, including children and female suicide bombers,

Emphasizing that, by committing these terrorist acts, Boko Haram gravely abuses human rights and violates international humanitarian law, radically hindering the full enjoyment of human rights and fundamental freedoms in the areas where these attacks take place,

Strongly condemning and also rejecting the cowardly abduction by Boko Haram, on 14 April 2014, of more than 200 girls from a school in the city of Chibok in the Borno State of Nigeria, whose fate remains unknown, as well as other subsequent abductions, and demands the immediate and unconditional release of the high school girls and other abductees and expresses its solidarity with their families,

Expressing its solidarity with the people of Nigeria, Cameroon, Chad and the Niger who suffer the hardships of the terrorist activities of Boko Haram, and notes the efforts of the Governments of Nigeria, Cameroon, Chad, the Niger and Benin to respond to such acts of terrorism,

Welcoming the leading role played by the African Union and by subregional organizations such as the Economic Community of West African States, the Economic Community of Central African States and the Lake Chad Basin Commission to address the threats posed by Boko Haram, and expressing support for their aim to fight the terrorist organisation called Boko Haram,

Declaring itself deeply concerned about the large number of displaced persons and refugees in Nigeria, Cameroon, Chad, the Niger and Benin,

1. *Condemns in the strongest terms* the gross abuses of international human rights law and violations of international humanitarian law perpetrated by the terrorist group Boko Haram;

2. *Calls upon* those who provide support and resources to Boko Haram to put an immediate end to any such support that is contrary to international human rights

law, as well as relevant resolutions and decisions adopted by the General Assembly, the Security Council, the African Union, the Economic Community of West African States, the Economic Community of Central African States and the Lake Chad Basin Commission;

3. *Urges* all parties not to lend any legitimacy to terrorist acts;

4. *Calls for* increased collaboration of the international community with the States affected by the terrorist activities of Boko Haram to monitor and to dry up all possible sources of financing;

5. *Welcomes* the assistance provided by some States to African States in the fight against terrorism, and calls upon the international community to provide more active and multifaceted support for Cameroon, Chad, the Niger, Nigeria and any other State affected by the actions of the terrorist group Boko Haram on their request, and in close collaboration with their respective Governments;

6. *Calls upon* States and the international community to support the multinational joint task force established by the African Union as appropriate, for the deployment of the task force, which includes troops from Nigeria, Chad, Cameroon, the Niger and Benin, by providing the said task force with technical assistance;

7. *Calls for* the perpetrators of the heinous crimes committed by the terrorist group Boko Haram to be brought before the competent courts of the affected States to ensure that those responsible for abuses of human rights and violations of international humanitarian law, including attacks targeting civilians, are held accountable;

8. *Urges* States to protect human rights while fighting terrorism, including through increased cooperation and full implementation of relevant international conventions and resolutions, and highlights the need to strengthen coordination at the national, subregional, regional and international levels to reinforce the global response to terrorism;

9. *Requests* the Office of the United Nations High Commissioner for Human Rights to collect information from affected States and in close cooperation and consultation with them, in order to prepare a report on violations and abuses of human rights and atrocities committed by the terrorist group Boko Haram in the States affected by such acts, with a view towards accountability, and to provide an oral update, as part of an interactive dialogue, to be held at the twenty-ninth session of the Human Rights Council and to submit a report for its consideration at its thirtieth session.

2nd meeting
1 April 2015

[Adopted without a vote.]

V. Twenty-ninth session

A. Resolutions

29/1. Fiftieth anniversary of the adoption and fortieth anniversary of the entry into force of the International Covenants on Human Rights

For the text of the resolution, see chapter II.

29/2. Protection of the human rights of migrants: migrants in transit

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights, which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination, the Vienna Convention on Consular Relations, the Convention on the Rights of Persons with Disabilities, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the United Nations Convention against Transnational Organized Crime and the protocols thereto, in particular the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,

Recalling also previous resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on the protection of the human rights of all migrants, and the work of the various special mechanisms of the Council that have reported on the situation of the human rights and fundamental freedoms of migrants,

Reaffirming that the Universal Declaration of Human Rights proclaims that everyone has the right to freedom of movement and residence within the borders of each State and the right to leave any country, including his or her own, and to return to his or her country,

Reaffirming also that everyone is entitled to all human rights and fundamental freedoms, without distinction of any kind, wherever the person is and regardless of his or her immigration status,

Recognizing that States are responsible for promoting and protecting the human rights of all persons, including irregular migrants, who are in their territory and subject to their jurisdiction, *Recognizing also* the shared responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of all migrants, and avoiding approaches that might aggravate their vulnerability,

Deeply concerned at the large and growing number of migrants, including women and children, who have lost their lives or have been injured in attempting to cross international borders, and recognizing the obligation of States to protect and respect the human rights of those migrants, regardless of their immigration status,

Bearing in mind that policies and initiatives on the issue of migration, including those that refer to border control and the orderly management of migration, must be in accordance with international human rights obligations in order to uphold the human rights and fundamental freedoms of all migrants,

Recalling the recommended principles and guidelines on human rights at international borders prepared by the Office of the United Nations High Commissioner for Human Rights,

Expressing its concern at measures that, including in the context of policies aimed at reducing irregular migration, treat irregular migration as a criminal rather than an administrative offence, where the effect of doing so is to deny migrants the full enjoyment of their human rights and fundamental freedoms,

Welcoming the important results of the second High-level Dialogue on International Migration and Development, held on 3 and 4 October 2013,

Reaffirming the Declaration of the High-level Dialogue on International Migration and Development, adopted by the General Assembly at its sixty-eighth session,[75] which acknowledges the important contribution of migration in realizing the Millennium Development Goals and recognizes that human mobility is a key factor for sustainable development, which should receive due consideration in the elaboration of the post-2015 development agenda,

Reaffirming also the commitment to take action to avoid the loss of life of migrants, including by preventing and combating the smuggling of migrants and trafficking in persons by disrupting the criminal networks involved and improving cooperation on prevention, the prosecution of traffickers and smugglers, the protection of the rights of victims of trafficking and the human rights of migrants who have been the object of smuggling, and in protecting migrants from exploitation and other abuses,

Noting the expertise in the field of migration of the International Organization for Migration and the other member agencies of the Global Migration Group,

Expressing serious concern about the situation of vulnerability and risk faced by migrants in transit, in particular unaccompanied children, including adolescents, or children who have been separated from their families, who are forced to or decide to leave their homelands owing to multiple causes,

Recognizing the need to address the special situation and vulnerability of migrant women and girls by, inter alia, incorporating a gender perspective into policies and strengthening national laws, institutions and programmes to combat gender-based violence, including trafficking in persons and discrimination against women and girls,

Recognizing also the importance of coordinating international efforts to provide assistance and support to migrants in vulnerable situations and, as appropriate, to facilitate the voluntary return to their countries of origin or procedures for determining the need for international protection while respecting the principle of non-refoulement,

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[75] General Assembly resolution 68/4.

Taking note of the seventh Global Forum on Migration and Development, which emphasized the importance of facilitating access to regular forms of migration and, where applicable, to social services including health goods, services and conditions, that contribute to the prosperity of countries of origin, transit and destination and to the strengthening of the empowerment and personal development prospects and outcomes for migrants and their families,

Acknowledging the important role that migrants play as partners in the development of origin, transit and destination countries, and recognizing the need to improve public perceptions of migrants and migration,

Mindful of the fact that, in the fulfilment of their obligations to protect human rights, States of origin, transit and destination can benefit from schemes of international cooperation,

Noting with appreciation the actions taken by several special procedures of the Human Rights Council and the treaty bodies for the effective prevention of violations of the human rights of migrants, including through joint statements and urgent appeals, and encouraging them to continue their collaborative efforts within their respective mandates to this end,

Recognizing the cultural and economic contributions made by migrants to receiving societies and their communities of origin and the need to identify appropriate means of maximizing development benefits and responding to the challenges that migration poses to countries of origin, transit and destination, and committing to ensuring dignified, humane treatment with applicable protections and to strengthening mechanisms for international cooperation,

1. *Recalls with appreciation* the report of the Special Rapporteur on the human rights of migrants,[76] invites States to give due consideration to the recommendations contained therein, and welcomes his work;

2. *Calls upon* States that have not yet done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as a matter of priority, and requests the Secretary-General to continue his efforts to promote and raise awareness of the Convention;

3. *Also calls upon* States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and its protocols, in particular the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;

4. *Reaffirms* the duty of States to effectively promote and protect the human rights and fundamental freedoms of all migrants, especially those of women and children, regardless of their immigration status, in conformity with the Universal Declaration of Human Rights and the international instruments to which they are party;

5. *Expresses concern* at legislation and measures adopted by some States that may adversely affect the full enjoyment of the human rights and fundamental freedoms of migrants, including those in transit;

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[76] A/HRC/26/35.

6. *Reaffirms* that, when exercising their sovereign right to enact and implement migration and border security measures, States have a duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect for the human rights of migrants;

7. *Calls upon* all States to ensure that their immigration policies are consistent with their obligations under international human rights law, and to promote the enjoyment of human rights by all migrants without discrimination, including by taking steps:

(*a*) To promote and protect the human rights of all migrants, including migrants in transit, without discrimination of any kind, and to this end to provide assistance and relief to migrants who need it, regardless of their immigration status, and to create a safe and enabling environment in which individuals and organizations that provide such attention can operate free from hindrance and insecurity;

(*b*) To adopt effective measures to prevent and punish any form of illegal deprivation of liberty of migrants by individuals or groups within the territory and jurisdiction of the State;

(*c*) To the effect that domestic law and administrative provisions and their application facilitate the work of all actors providing humanitarian assistance to and defending the human rights of irregular migrants, including by avoiding any criminalization, stigmatization, impediments, obstructions or restrictions thereof contrary to international human rights law;

(*d*) To adopt concrete measures to prevent the violation of the human rights of migrants while in transit, including in ports and airports and at borders and other transit areas for migration, and to adequately train public officials who work in those facilities and in border areas to treat these migrants respectfully and in accordance with their obligations under international human rights law;

(*e*) To adopt effective measures to prevent and punish the smuggling of migrants and trafficking in persons, and to reinforce cooperation and coordination at all levels to detect and suppress both the smuggling of migrants and trafficking in persons, in accordance with applicable international law;

(*f*) To ensure that repatriation mechanisms allow for the identification and special protection of persons in vulnerable situations;

(*g*) To recognize the importance of coordinated efforts by the international community and other stakeholders to assist and support migrants stranded in a vulnerable situation;

(*h*) To provide assistance to persons in distress at sea and to enhance cooperation for such purposes in accordance with applicable international law;

(*i*) To adopt a comprehensive and integral approach to migration policies and cooperate at the international level on the basis of shared responsibility to harness fully the economic developments and cultural and social opportunities that migration represents and to address efficiently its challenges in line with international human rights standards;

8. *Encourages* the Office of the United Nations High Commissioner for Human Rights to provide technical assistance to States parties, upon request, to better promote and protect the human rights of migrants;

9. *Requests* the Office of the High Commissioner to submit to the Human Rights Council before its thirty-first session a study on the situation of migrants in transit, including unaccompanied children and adolescents, as well as women and

girls, in consultation with States and other relevant stakeholders, including regional organizations, civil society organizations and national human rights institutions;

10. *Requests* the Special Rapporteur on the human rights of migrants to continue to report on practical solutions, including with respect to the situation of migrants in transit, by identifying best practices and concrete areas and means for international cooperation in order to enhance the protection of the human rights of migrants, and to continue to pay attention to the topic of the universal enjoyment of human rights for all migrants;

11. *Encourages* States and regional and international organizations to enhance cooperation with the Special Rapporteur;

12. *Decides* to remain seized of the matter.

42nd meeting
2 July 2015

[Adopted without a vote.]

29/3. Human rights and international solidarity

The Human Rights Council,

Reaffirming all previous resolutions and decisions adopted by the Commission on Human Rights and the Human Rights Council on the issue of human rights and international solidarity, including Commission resolution 2005/55 of 20 April 2005 and Council resolutions 6/3 of 27 September 2007, 7/5 of 27 March 2008, 9/2 of 24 September 2008, 12/9 of 1 October 2009, 15/13 of 30 September 2010, 17/6 of 16 June 2011, 18/5 of 29 September 2011, 21/10 of 27 September 2012, 23/12 of 13 June 2013 and 26/6 of 26 June 2014,

Underlining the fact that the processes of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter of the United Nations and international law,

Recalling that, at the World Conference on Human Rights, held in June 1993, States pledged to cooperate with each other in ensuring development and eliminating obstacles to development, and stressed that the international community should promote effective international cooperation for the realization of the right to development and the elimination of obstacles to development,

Reaffirming the fact that article 4 of the Declaration on the Right to Development states that sustained action is required to promote more rapid development of developing countries and, as a complement to the efforts of developing countries, effective international cooperation is essential in order to provide these countries with the appropriate means and facilities to foster their comprehensive development,

Recognizing that the attention paid to the importance of international solidarity as a vital component of the efforts of developing countries to realize the right to development of their peoples and to promote the full enjoyment of economic, social and cultural rights by everyone has been insufficient, and in this context, reaffirming the critical relevance of international solidarity to the post-2015 development agenda,

Reaffirming the fact that the widening gap between economically developed and developing countries is unsustainable and that it impedes the realization of human rights in the international community and makes it all the more imperative for every nation, according to its capacities, to make the maximum possible effort to close this gap,

Reaffirming also the crucial importance of increasing the resources allocated for official development assistance, recalling the pledge of industrialized countries to allocate 0.7 per cent of their gross national product for official development assistance, and recognizing the need for new and additional resources to finance the development programmes of developing countries,

Reaffirming further the fact that the achievement of the Millennium Development Goals and the realization of the right to development call for a more enlightened approach, mindset and action based on a sense of community and international solidarity,

Determined to take new steps forward in the commitment of the international community with a view to achieving substantial progress in human rights endeavours through an increased and sustained effort of international cooperation and solidarity,

Asserting the necessity of establishing new, equitable and global links of partnership and intra-generational solidarity for the perpetuation of humankind,

Resolved to strive to ensure that present generations are fully aware of their responsibilities towards future ones, and that a better world is possible for both present and future generations,

1. *Reaffirms* the recognition set forth in the declaration adopted by the Heads of State and Government at the Millennium Summit of the fundamental value of solidarity to international relations in the twenty-first century in stating that global challenges must be managed in a way that distributes costs and burdens fairly, in accordance with the basic principles of equity and social justice, and that those who suffer or benefit least deserve help from those who benefit most;

2. *Also reaffirms* that international solidarity is not limited to international assistance and cooperation, aid, charity or humanitarian assistance; it is a broader concept and principle that includes sustainability in international relations, especially international economic relations, the peaceful coexistence of all members of the international community, equal partnerships and the equitable sharing of benefits and burdens;

3. *Reiterates its determination* to contribute to the solution of current world problems through increased international cooperation, to create conditions that will ensure that the needs and interests of future generations are not jeopardized by the burden of the past, and to hand over a better world to future generations;

4. *Reaffirms* the fact that the promotion of international cooperation is a duty for States, that it should be implemented without any conditionality and on the basis of mutual respect, in full compliance with the principles and purposes of the Charter of the United Nations, in particular respect for the sovereignty of States, and taking into account national priorities;

5. *Recognizes* that international solidarity shall be a new foundational principle underpinning contemporary international law, that responds to the need for transformative change encompassing the objectives of equity, equality in outcome, sustainability, security, social justice and empowerment and is applicable to all countries, both developing and developed;

6. *Also recognizes* that there is an overwhelming manifestation of solidarity by States, individually and collectively, by civil society, by global social movements and by countless people of goodwill reaching out to others, and that this solidarity is commonly practised at the national, regional and international levels;

7. *Acknowledges* the increased need for States and other actors to come together and take collective action in solidarity;

8. *Welcomes* the report of the Independent Expert on human rights and international solidarity[77] and the work conducted by her;

9. *Requests* all States, United Nations agencies, other relevant international organizations and non-governmental organizations to mainstream the right of peoples and individuals to international solidarity into their activities, to cooperate with the Independent Expert in her mandate, and to supply all necessary information requested by her, and requests States to give serious consideration to responding favourably to the requests of the Independent Expert to visit their countries, to enable her to fulfil her mandate effectively;

10. *Requests* the Independent Expert to continue to participate in relevant international forums and major events with a view to promoting the importance of international solidarity, inter alia, those relating to climate change, international migration, disaster risk reduction and the post-2015 development agenda, and invites Member States, international organizations, United Nations agencies and other relevant organizations to facilitate the meaningful participation of the Independent Expert in these international forums and major events;

11. *Reiterates its requests* to the Independent Expert to consolidate and consider the outputs from all the regional consultations on the proposed draft declaration on the right of peoples and individuals to international solidarity, to submit to the Human Rights Council, at its thirty-second session, a report on those consultations, and to submit to the Council and the General Assembly, before the end of her second term, a revised draft declaration;

12. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Independent Expert;

13. *Requests* all States, United Nations agencies, other relevant international organizations and non-governmental organizations to participate in, cooperate with and contribute to the regional consultations on the proposed draft declaration on the right of peoples and individuals to international solidarity, which the Independent Expert has been mandated to convene by the Human Rights Council, and to provide input in that regard;

14. *Reiterates its request* to the Independent Expert to take into account the outcomes of all major United Nations and other global summits and ministerial meetings in the economic, social and climate fields and to seek views and contributions from Governments, United Nations agencies, other relevant international organizations and non-governmental organizations in the discharge of her mandate;

15. *Requests* the Independent Expert to report regularly to the Human Rights Council and to the General Assembly in accordance with their respective programmes of work;

16. *Decides* to continue its consideration of this matter under the same agenda item.

42nd meeting
2 July 2015

[Adopted by a recorded vote of 33 to 14, with no abstentions. The voting was as follows:

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[77] A/HRC/29/35.

In favour:

Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, Gabon, Ghana, India, Indonesia, Kazakhstan, Kenya, Maldives, Mexico, Morocco, Namibia, Nigeria, Pakistan, Paraguay, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

Albania, Estonia, France, Germany, Ireland, Japan, Latvia, Montenegro, Netherlands, Portugal, Republic of Korea, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America]

29/4. Elimination of discrimination against women

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women and all other relevant international human rights instruments,

Recalling also the Vienna Declaration and Programme of Action, the Programme of Action of the International Conference on Population and Development, the Beijing Declaration and Platform for Action and the outcome documents of their review conferences, the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference,

Recalling further all relevant resolutions on the elimination of discrimination against women of the Human Rights Council, the General Assembly, the Security Council and other United Nations agencies and bodies,

Welcoming the inclusion of gender equality and the empowerment of all women and girls as a stand-alone goal in the proposed sustainable development goals, and looking forward to the integration of a gender perspective into the post-2015 development agenda,

Bearing in mind that international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, prohibit discrimination on the basis of gender and include guarantees to ensure the enjoyment by women and men, and girls and boys, of their civil, political, economic, social and cultural rights on a basis of equality,

Recognizing that the full, equal and effective participation of women of all ages and in all spheres of life, on an equal basis with men, is essential for the full and complete economic, political social and cultural development of a country and for achieving lasting solutions to global challenges and the realization of peace, and that gender equality and the empowerment of women benefit women, men, girls and boys and society as a whole,

Emphasizing that women's equal rights and their enjoyment in the cultural and family life are closely linked to the enjoyment of human rights in all areas, including in public, political, social and economic life, *Reaffirming* that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Recognizing that respect for cultural and religious diversity and of cultural rights and freedom of religion for all enhances pluralism and contributes to advancing the application and enjoyment of human rights,

Reiterating that, to secure equal enjoyment by women of all human rights in all aspects of life, discriminatory, repressive and violent practices against them should be eliminated, regardless of their origin, including those occasions where culture and religion are misused or misinterpreted,

Recognizing and deeply regretting that many women and girls, particularly those belonging to vulnerable groups, face multiple and intersecting forms of discrimination and are still subjected to discriminatory laws and practices, and that de jure and de facto equality has not been achieved,

Recognizing that gender responsiveness is an essential part of the role played by national human rights institutions as established by the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), adopted by General Assembly in its resolution 48/134 of 20 December 1993,

Acknowledging the work undertaken by the United Nations Entity for Gender Equality and the Empowerment of Women, the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women, the special procedure mandate holders of the Human Rights Council and other relevant United Nations bodies, funds, agencies and mechanisms to eliminate discrimination in law and in practice throughout the world, and noting the work undertaken by the Office of the United Nations High Commissioner for Human Rights on the issue,

1. *Takes note* of the report of the Working Group on the issue of discrimination against women in law and in practice;[78]

2. *Affirms* that realizing human rights requires the full, effective and meaningful participation and contribution of women and girls in all aspects of life, on an equal footing with men and boys;

3. *Calls upon* States to ensure women's equal enjoyment of all human rights by, inter alia:

(*a*) Adopting and strengthening national legal frameworks promoting and guaranteeing gender equality in cultural and family life, in accordance with their international obligations and commitments;

(*b*) Promoting the equal and full access, participation and contribution of women and girls in all aspects of life, including in cultural and family life;

(*c*) Rejecting any discriminatory practice and gender stereotype;

(*d*) Adopting or strengthening measures to combat multiple and intersecting forms of discrimination, in particular against those belonging to vulnerable groups;

4. *Also calls upon* States to promote a culture free from all forms of discrimination against women and girls and to address its root causes by, inter alia:

(*a*) Developing national mechanisms, measures and policies, as appropriate;

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[78] A/HRC/29/40.

(*b*) Adopting awareness-raising campaigns, educational and informational programmes;

(*c*) Promoting the mobilization and engagement of civil society organizations and other relevant stakeholders, including that of men and boys;

(*d*) Providing gender-equality training for State civil servants, including those working on the judiciary;

(*e*) Adopting a coherent set of gender-responsive social and economic policies;

(*f*) Addressing poverty and social exclusion in order to overcome the structural barriers and inequality that they face;

5. *Urges* States to take all appropriate measures to modify the social and cultural patterns of conduct of men and women with a view to achieving the elimination of prejudices and customary and all other practices that are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

6. *Calls upon* States to take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations, and to guarantee women's equality in law and in practice in family life, in accordance with their respective international obligations and commitments by, inter alia:

(*a*) Recognizing the equality of all family members before the law;

(*b*) Opposing all forms of marriage that constitute a violation of women's and girls' rights, well-being and dignity;

(*c*) Ensuring that men and women have the same right freely to choose a spouse, to enter into marriage only with their free and full consent and the same rights and responsibilities during marriage and at its dissolution;

(*d*) Ensuring the same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property;

(*e*) Ensuring the same rights and responsibilities with regard to guardianship, wardship, trusteeship and the adoption of children, or similar institutions where these concepts exist in national legislation; in all cases, the interest of the children shall be paramount;

7. *Reaffirms* the importance of the right to education as a key to the empowerment of women and girls and for ensuring equality and non-discrimination, and that States should adopt measures to ensure the equal access of girls to quality education; to eliminate discriminatory laws and practices that prevent them from having access to, completing and continuing their education, and to provide incentive mechanisms to this end; and to develop and implement programmes, as appropriate, that specifically aim to eliminate gender disparities in enrolment and gender-based bias and stereotypes in education systems, curricula and materials, whether derived from any discriminatory practices, social or cultural attitudes or legal and economic circumstances;

8. *Urges* States to ensure that women have equal access to all economic, financial, fiscal and social services and benefits without discrimination, including those that head a family;

9. *Calls upon* States to promote the rights of women and girls and to support their empowerment by adopting, as appropriate, a coherent set of gender-responsive policies directed at cultural and family life;

10. *Also calls upon* States to promote reforms, the effectiveness of institutional mechanisms and good governance, and to accelerate the implementation of legal frameworks and policies directed towards achieving equality and the elimination of all forms of discrimination against women and girls, including nationality laws;

11. *Further calls upon* States to take concrete steps directed to achieve gender equality and the empowerment of women at all levels of policymaking processes and decision-making positions;

12. *Stresses* the need to accelerate efforts at all levels to eliminate all forms of violence against women and girls, including domestic violence;

13. *Also stresses* the need to accelerate efforts to ensure accountability and due diligence for acts that violate women's rights by adopting measures to, inter alia:

(*a*) Prevent violations and prosecute and punish the perpetrators, and combat impunity;

(*b*) Address the needs of women and girls victims and avoid their re-victimization;

(*c*) Guarantee access to justice and effective remedies and redress that take into account multiple, intersecting and aggravated forms of discrimination;

14. *Further stresses* the need to make the formal legal system accessible to all women, regardless of any status;

15. *Urges* States to recognize the important role that the media can play in the elimination of gender stereotypes and in the promotion of gender equality and the empowerment of women and girls;

16. *Recognizes* that civil society organizations, in particular independent women's organizations and human rights defenders, do important work in promoting full equality in all aspects of life, including cultural and family life, and eliminating violence against women and girls, and that they therefore require support for their sustainability and growth;

17. *Calls upon* all States to cooperate with and assist the Working Group in its task, to supply all necessary available information requested by it and to give serious consideration to responding favourably to its requests to visit their country to enable it to fulfil its mandate effectively;

18. *Invites* relevant United Nations agencies, funds and programmes, the treaty bodies, within their respective mandates, and civil society actors, including non-governmental organizations, as well as the private sector, to cooperate fully with the Working Group in the fulfilment of its mandate, and requests the Working Group to continue to engage with the Commission on the Status of Women, including by participating in its work and reporting, on request;

19. *Notes with appreciation* the intention of the Working Group to focus its next report on the issue of discrimination against women in law and in practice in health and safety;

20. *Decides* to continue its consideration of this issue in conformity with its annual programme of work.

42nd meeting
2 July 2015

[Adopted without a vote.]

29/5. Elimination of discrimination against persons affected by leprosy and their family members

The Human Rights Council,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Guided also by the Universal Declaration of Human Rights, and recalling relevant international human rights instruments, including the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of Persons with Disabilities, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child,

Recalling Human Rights Council resolution 5/1 of 18 June 2007 on institution-building of the Council,

Recalling also Human Rights Council resolutions 8/13 of 18 June 2008, 12/7 of 1 October 2009 and 15/10 of 30 September 2010, and General Assembly resolution 65/215 of 21 December 2010,

Recalling further the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms,

Recalling that leprosy is curable and that the human rights of persons with leprosy could be better protected by treatment provided in the early stages that can prevent disability,

Deeply concerned that, in various parts of the world, persons affected by leprosy and their family members continue to face barriers to their participation as equal members of society and violations and abuses of their human rights, and conscious that greater attention is needed to address these challenges,

Reaffirming that persons affected by leprosy and their family members, including women and children, should be treated with dignity and are entitled to the enjoyment of all human rights and fundamental freedoms under customary international law, relevant conventions and national constitutions and laws,

Recognizing that persons affected by leprosy and their family members still face multiple forms of prejudice and discrimination stemming from misinformation about and misunderstanding of the disease throughout the world,

Recognizing also that specific attention is needed to address all forms of discrimination against persons affected by leprosy and their family members,

Bearing in mind the need to intensify efforts to eliminate all forms of prejudice and discrimination against persons affected by leprosy and their family members throughout the world,

Stressing the importance of implementing the principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members, submitted by the Advisory Committee in 2010,[79] to which Governments, relevant United Nations bodies, specialized agencies, funds and programmes, other intergovernmental organizations and national human rights institutions were encouraged to give due consideration in Council resolution 15/10 and General Assembly resolution 65/215 respectively,

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[79] See A/HRC/15/30, annex.

1. *Requests* the Advisory Committee, from within existing resources, to undertake a study which reviews the implementation of the principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members, together with the obstacles thereto, and to submit a report containing practical suggestions for the wider dissemination and more effective implementation of the principles and guidelines in order to eliminate discrimination and the stigma associated with leprosy and to promote, protect and respect the human rights of those affected by leprosy and their family members to the Human Rights Council at its thirty-fifth session;

2. *Encourages* the Advisory Committee, when elaborating the above-mentioned report, to take into account the views of Member States, as appropriate, relevant international and regional organizations, including the World Health Organization, the Office of the United Nations High Commissioner for Human Rights and relevant special procedures, national human rights institutions and non-governmental organizations, as well as the work done on the issue by relevant United Nations bodies, specialized agencies, funds and programmes within their respective mandates;

3. *Calls upon* Governments, relevant United Nations bodies, specialized agencies, funds and programmes, other intergovernmental organizations, national human rights institutions and non-governmental organizations to cooperate with the study of the Advisory Committee;

4. *Decides* to remain seized of the matter.

42nd meeting
2 July 2015

[Adopted without a vote.]

29/6. Independence and impartiality of the judiciary, jurors and assessors, and the independence of lawyers

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations as well as by articles 7, 8, 9, 10 and 11 of the Universal Declaration of Human Rights and articles 2, 4, 9, 14 and 26 of the International Covenant on Civil and Political Rights, and bearing in mind the Vienna Declaration and Programme of Action,

Recalling the Basic Principles on the Independence of the Judiciary, the Basic Principles on the Role of Lawyers, the Guidelines on the Role of Prosecutors, the Bangalore Principles of Judicial Conduct and the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,

Recalling also all previous resolutions and decisions of the Human Rights Council, the Commission on Human Rights and the General Assembly on the independence and impartiality of the judiciary and the integrity of the judicial system,

Taking note of the reports of the Special Rapporteur on the independence of judges and lawyers submitted to the Human Rights Council at its twenty-sixth and twenty-ninth sessions, on judicial accountability[80] and on the protection of children's rights in the justice system,[81] respectively,

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[80] A/HRC/26/32

[81] A/HRC/29/26

Convinced that an independent and impartial judiciary, an independent legal profession, an objective and impartial prosecution able to perform its functions accordingly and the integrity of the judicial system are prerequisites for the protection of human rights and the application of the rule of law and for ensuring fair trials and the administration of justice without any discrimination,

Recalling that prosecutors should, in accordance with the law, perform their functions fairly, consistently and expeditiously, respect and protect human dignity, and uphold human rights, thus contributing to due process and the smooth functioning of the criminal justice system,

Condemning the increasingly frequent attacks on the independence of judges, lawyers, prosecutors and court officials, in particular threats, intimidation and interference in the discharge of their professional functions,

Recalling that every State should provide an effective framework of remedies to redress human rights grievances or violations and that the administration of justice, including law enforcement and prosecutorial agencies and, especially, an independent judiciary and legal profession in full conformity with applicable standards contained in international human rights instruments is essential to the full and non-discriminatory realization of human rights and indispensable to the processes of democracy and sustainable development,

Recalling also that it is essential to ensure that judges, prosecutors, lawyers and court officials possess the professional qualifications required for the performance of their functions through improved methods of recruitment and legal and professional training, and through the provision of all necessary means for the proper performance of their role in ensuring the rule of law,

Stressing the importance of ensuring accountability, transparency and integrity in the judiciary as an essential element of judicial independence and a concept inherent to the rule of law when it is implemented in line with the Basic Principles on the Independence of the Judiciary and other relevant human rights norms, principles and standards,

Emphasizing that judges, prosecutors and lawyers play a critical role in upholding human rights, including the absolute and non-derogable right of freedom from torture and other cruel, inhuman or degrading treatment or punishment,

Emphasizing also that an independent and impartial judiciary, objective and impartial prosecution services and an independent legal profession that foster a balanced representation of men and women and the establishment of gender-sensitive procedures are essential for the effective protection of women's rights, including protection from violence and revictimization through court systems, to ensuring that the administration of justice is free from gender-based discrimination and stereotypes, and to a recognition that both men and women benefit when women are treated equally by the justice sector,

Recognizing the importance of bar associations, professional associations of judges and prosecutors, and non-governmental organizations working in defence of the principle of the independence of judges and lawyers,

Stressing the role that independent and effective national human rights institutions established in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) can and should play in strengthening the rule of law and in supporting the independence and integrity of the judicial system, *Recognizing* that legal aid is an essential element of a fair, humane and efficient system of administration of justice that is based on the rule of law,

Acknowledging that children who come into contact with the law and/or the justice system have rights, needs and interests that must be considered and respected, including through the provision of child-friendly procedures, and that the administration of justice must be in line with States' commitments and obligations under international human rights instruments, in particular the Convention on the Rights of the Child, and with principles and standards relating to children, including the principles of non-discrimination and the best interests of the child, as well as the right to life and the right of the child to express his or her own views freely in all matters affecting him or her, the views of the child being given due weight in accordance with the age and maturity of the child,

Reaffirming that the best interests of the child shall be a primary consideration in all decisions concerning the child in the administration of justice, including in relation to pretrial measures, as well as being an important consideration in all matters concerning the child with regard to the sentencing of his or her parents, or, where applicable, legal guardians or primary caregivers,

Noting the special needs of children in situations of vulnerability who are in contact with justice systems, who may require particular attention, protection and skills from the professionals interacting with them, especially from lawyers, prosecutors and judges,

Reaffirming Human Rights Council resolution 26/7 of 26 June 2014, in which the Council extended the mandate of the Special Rapporteur on the independence of judges and lawyers for a period of three years, and acknowledging the importance of the mandate holder's ability to cooperate closely, within the framework of the mandate, with the Office of the United Nations High Commissioner for Human Rights, including in the fields of advisory services and technical cooperation, in the effort to guarantee the independence of judges and lawyers,

1. *Calls upon* all States to guarantee the independence of judges and lawyers and the objectivity and impartiality of prosecutors, and their ability to perform their functions accordingly, including by taking effective legislative, law enforcement and other appropriate measures that will enable them to carry out their professional functions without interference, harassment, threats or intimidation of any kind;

2. *Encourages* States to promote diversity in the composition of the members of the judiciary, including by taking into account a gender perspective and by promoting actively the balanced representation of women and men from various segments of society at all levels, and to ensure that the requirements for joining the judiciary and the selection process thereof are non-discriminatory, public and transparent, based on objective criteria, and guarantee the appointment of individuals of integrity and ability with appropriate training and qualifications in law, based on individual merit and under equal working conditions;

3. *Stresses* that the term of office of judges, their independence, security, adequate remuneration, conditions of service, pensions and age of retirement should be adequately secured by law, that the security of tenure of judges is an essential guarantee of the independence of the judiciary and that grounds for their removal must be explicit with well-defined circumstances provided by law, involving reasons of incapacity or behaviour that renders them unfit to discharge their functions, and that procedures upon which the discipline, suspension or removal of a judge are based should comply with due process;

4. *Encourages* States to put in place legal and policy frameworks conducive to the development and reinforcement of a child-sensitive justice system, in line with their commitments and obligations under international human rights instruments, in particular the Convention on the Rights of the Child, and with principles and standards relating to children, and stresses that the rights and best interests of the child should be taken into account by judges, prosecutors and lawyers in the performance of their functions in all matters concerning children;

5. *Also encourages* States to develop, as appropriate, policies, procedures and programmes in the area of restorative justice as part of a comprehensive justice system;

6. *Further encourages* States to consider, in collaboration with relevant national entities such as bar associations, associations of judges and prosecutors, and educational institutions assisting the judiciary, developing guidance on issues such as gender, children, persons with disabilities, indigenous peoples, and migrants, among others, to inform the action of judges, lawyers, prosecutors and other actors in the judicial system;

7. *Calls upon* States to ensure that prosecutors can perform their functional activities in an independent, objective and impartial manner;

8. *Condemns* all acts of violence, intimidation or reprisal, from any quarter and for any reason, against judges, prosecutors and lawyers, and reminds States of their duty to uphold the integrity of judges, prosecutors and lawyers and to protect them, as well as their families and professional associates, against all forms of violence, threat, retaliation, intimidation and harassment resulting from the discharging of their functions, and to condemn such acts and bring perpetrators to justice;

9 *Calls upon* States, in collaboration with relevant national entities such as bar associations, associations of judges and prosecutors, and educational institutions, to provide adequate training, including human rights training, for judges, prosecutors and lawyers, both on initial appointment and periodically throughout their careers, taking into account regional and international human rights law and, where applicable and relevant, the concluding observations and decisions of human rights mechanisms, such as treaty bodies and regional human rights courts;

10. *Underscores* the importance for States of developing and implementing an effective and sustainable legal aid system that is consistent with their international human rights obligations and takes into account relevant commitments and good practices, and of ensuring that legal aid is available at all stages of the criminal justice process, subject to appropriate eligibility criteria and in accordance with international human rights law;

11. *Urges* all Governments to cooperate with and to assist the Special Rapporteur on the independence of judges and lawyers in the performance of his or her tasks, to provide all information requested and to respond to communications transmitted to them by the Special Rapporteur without undue delay;

12. *Invites* the Special Rapporteur to collaborate with relevant stakeholders within the United Nations system in the areas pertaining to the mandate;

13. *Calls upon* Governments to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their country, and urges States to enter into a constructive dialogue with the Special Rapporteur with respect to the follow-up to and implementation of his or her recommendations to enable him or her

to fulfil the mandate even more effectively;

14. *Encourages* the Special Rapporteur to facilitate the provision of technical assistance and capacity-building and the dissemination of best practices, including through engagement with relevant stakeholders and in consultation with the Office of the United Nations High Commissioner for Human Rights, when requested by the State concerned, with a view to establishing and strengthening the rule of law, paying particular attention to the administration of justice and the role of an independent and competent judiciary and legal profession;

15. *Encourages* Governments that face difficulties in guaranteeing the independence of judges and lawyers, the objectivity and impartiality of prosecutors and their ability to perform their functions accordingly, or that are determined to take measures to implement these principles further to consult and to consider the services of the Special Rapporteur, for instance by inviting him or her to their country;

16. *Encourages* Governments to give due consideration to recommendations made by United Nations human rights mechanisms, and to implement supported recommendations of the universal periodic review process, addressing the independence and effectiveness of the judiciary and their effective implementation, and invites the international community, regional organizations and the United Nations system to support any implementation efforts;

17. *Invites* United Nations agencies, funds and programmes to continue their activities in the areas of the administration of justice and the rule of law, including at the country level at the request of the State, encourages States to reflect such activities in their national capacity-building plans, and emphasizes that institutions concerned with the administration of justice should be properly funded;

18. *Encourages* States to ensure that their legal frameworks, implementing regulations and judicial manuals are fully in line with their international obligations and take into account relevant commitments in the areas of the administration of justice and the rule of law;

19. *Decides* to continue consideration of this issue in accordance with its annual programme of work.

42nd meeting
2 July 2015

[Adopted without a vote.]

29/7. The right to education

The Human Rights Council,

Reaffirming its resolution 8/4 of 18 June 2008 and recalling all other Human Rights Council resolutions on the right to education, the most recent of which is resolution 26/17 of 26 June 2014, and the resolutions adopted by the Commission on Human Rights on the subject,

Reaffirming also the human right of everyone to education, which is enshrined in, inter alia, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Rights of Migrant Workers and Members of Their Families, the Convention on the Rights of Persons with Disabilities and other relevant international instruments, *Bearing in mind* General Assembly resolution 69/268 of 5 March 2015 on education for democracy,

Bearing in mind also the United Nations Declaration on Human Rights Education and Training and the World Programme for Human Rights Education,

Welcoming the World Education Forum 2015, organized by the United Nations Educational, Scientific and Cultural Organization in collaboration with the United Nations Children's' Fund, the World Bank, the United Nations Population Fund, the United Nations Development Programme, UN-Women and the Office of the United Nations High Commissioner for Refugees, held in Incheon, Republic of Korea, from 19 to 22 May 2015, and the declaration "Education 2030: Towards inclusive and equitable quality education and lifelong learning for all", adopted at the Forum,

Deeply concerned at the ongoing problem of attacks on students, teachers, schools and universities, which impairs the realization of the right to education and causes severe and long-lasting harm to individuals and societies,

Recognizing the negative impact of conflict and crisis on the full realization of the right to education, and that more than one third of the world's 121 million school children are in conflict-affected countries, as noted in the Education For All Global Monitoring Report of the United Nations Educational, Scientific and Cultural Organization of 2015 and in the Incheon declaration;

Noting with appreciation the ongoing efforts towards strengthening protection of schools and universities against attacks, and noting the efforts that led to the Oslo Conference on Safe Schools, held on 28 and 29 May 2015;

Deeply concerned that, according to the United Nations Educational, Scientific and Cultural Organization, despite all efforts by Governments, civil society and the international community and the tremendous progress achieved since 2000, the Education for All goals, and the education-related Millennium Development Goals, have not been globally achieved,

Recognizing that the full realization of the right to education for all is an essential condition for achieving sustainable development, and in this regard the need to ensure that the right to education is central in the context of the post-2015 development agenda,

Welcoming the proposal of the Open Working Group on Sustainable Development Goals, which included a goal of ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all,

Reiterating the importance of access to new information technologies, including the Internet, to facilitate the realization of the right to education and to promote inclusive quality education,

Welcoming the steps taken at the national level to implement the right to education, including the enactment of appropriate legislation, adjudication by national courts and the development of national indicators,

Aware of the role that communications procedures can play to promote the justiciability of the right to education,

1. *Calls upon* all States to take all measures to implement Human Rights Council resolutions on the right to education with a view to ensuring the full realization of this right for all;

2. *Urges* all States to give full effect to the right to education by, inter alia, complying with their obligations to respect, protect and fulfil the right to education by all appropriate means, including by taking measures, such as:

(*a*) Putting in place a regulatory framework guided by international human rights obligations for education providers that establishes, inter alia, minimum norms and standards for the creation and operation of educational institutions;

(*b*) Expanding educational opportunities for all without discrimination, paying particular attention to girls, marginalized children and persons with disabilities, by, inter alia, recognizing the significant importance of public investment in education, to the maximum of available resources, and strengthening the engagement with communities, local actors and civil society to contribute to education as a public good;

(*c*) Ensuring that education is consistent with human rights standards and principles, including those laid down in the Universal Declaration of Human Rights and in international human rights treaties;

(*d*) Monitoring private education providers and holding accountable those whose practices have a negative impact on the enjoyment of the right to education by, inter alia, engaging with existing national human rights mechanisms, parliamentarians and civil society;

(*e*) Strengthening access to appropriate remedies and reparation for victims of violations of the right to education;

(*f*) Supporting research and awareness-raising activities to better understand the wide-ranging impact of the commercialization of education on the enjoyment of the right to education;

3. *Welcomes*:

(*a*) The work of the Special Rapporteur on the right to education, and takes note of his latest report, on protecting education from commercialization;[82]

(*b*) The work of the United Nations human rights treaty bodies and special procedures in the promotion of the right to education;

(*c*) The work undertaken by the Office of the United Nations High Commissioner for Human Rights in the promotion of the right to education at the country, regional and headquarters levels;

(*d*) The contribution of the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization and other relevant bodies towards attaining the goals of the Education for All agenda and education-related Millennium Development Goals;

4. *Calls upon* all relevant stakeholders to ensure that the post-2015 development agenda fosters the universal realization of the right to education, including by establishing education targets that are specific, measurable, realistic and relevant;

5. *Reaffirms* the obligations and commitments to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of available resources, with a view to achieving progressively the full realization of the right to education by all appropriate means, including in particular the adoption of legislative measures;

6. *Calls upon* States to take all necessary measures, including sufficient budgetary allocations, to ensure inclusive, equitable and non-discriminatory quality education, and to promote learning opportunities for all;

7. *Expresses its dismay* at the aggravation of attacks, including terrorist attacks, on educational institutions as such, their students and staff, and recognizes the

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[82] A/HRC/29/30.

grave impact that such attacks have on the full realization of the right to education, in particular of women and girls, and reiterates its condemnation in the strongest terms of all such attacks;

8. *Urges* all States to comply with their responsibilities under international law, and also urges them to strengthen the protection of schools and universities, as well as other educational settings, from attacks by reviewing national laws to ensure that attacks on schools and universities are criminalized, where appropriate; investigating attacks on schools and universities, and prosecuting and punishing those responsible, as appropriate; making every effort to collect reliable relevant data with respect to attacks on schools and universities; and providing assistance to victims, on a non-discriminatory basis, towards the full realization of the right to education;

9. *Recognizes* ongoing efforts and initiatives towards strengthening protection of schools and universities against attacks, and encourages States to continue to develop efforts in this regard;

10. *Encourages* all States to measure progress in the realization of the right to education, such as by developing national indicators as an important tool for the realization of the right to education and for policy formulation, impact assessment and transparency;

11. *Calls upon* States to accelerate efforts to eliminate gender-based discrimination and all forms of violence in schools and other educational settings, and to realize gender equality and the right to education for all;

12. *Acknowledges* the role that communications procedures can play to promote the justiciability of the right to education, and in this regard calls upon all States that have not yet signed and ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights to consider doing so as a matter of priority;

13. *Encourages* the United Nations High Commissioner for Human Rights, the treaty bodies, the special procedures of the Human Rights Council and other relevant United Nations bodies and mechanisms, specialized agencies, funds and programmes, within their respective mandates, to continue their efforts to promote the full realization of the right to education worldwide and to enhance their cooperation in this regard, including by enhancing technical assistance to Governments;

14. *Stresses* the importance of the contribution of national human rights institutions, civil society, including non-governmental organizations, and parliamentarians to the realization of the right to education, including through cooperation with the Special Rapporteur on the right to education;

15. *Decides* to remain seized of the matter.

42nd meeting
2 July 2015

[Adopted without a vote.]

29/8. Strengthening efforts to prevent and eliminate child, early and forced marriage

The Human Rights Council,

Guided by the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, as well as other relevant human rights instruments, including the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,

Reaffirming its resolution 24/23 of 27 September 2013 and General Assembly resolution 69/156 of 18 December 2014,

Recalling the commitment to the full and effective implementation of and follow-up to all other relevant resolutions of the Human Rights Council, the General Assembly, the Economic and Social Council and their subsidiary bodies,

Reaffirming the Vienna Declaration and Programme of Action, as well as the Programme of Action of the International Conference on Population and Development, the Beijing Declaration and Platform for Action and the outcome documents of their review conferences,

Acknowledging the relevance and importance of regional instruments and mechanisms in the prevention and elimination of child, early and forced marriage,

Welcoming regional initiatives to prevent and eliminate child, early and forced marriage, such as the Campaign to End Child Marriage in Africa of the African Union, the Regional Action Plan to End Child Marriage in South Asia and the Kathmandu Call for Action to End Child Marriage in South Asia,

Welcoming also the report of the Office of the United Nations High Commissioner for Human Rights on preventing and eliminating child, early and forced marriage,[83] and taking note of its summary report on the panel discussion on preventing and eliminating child, early and forced marriage, held during the twenty-sixth session,[84] and the summary report of the panel discussion held by the General Assembly on 5 September 2014, during its sixty-eighth session,

Taking note of joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices,[85]

Recognizing that child, early and forced marriage is a harmful practice that violates, abuses and impairs human rights and is linked to and perpetuates other harmful practices and human rights violations and that such violations have a disproportionately negative impact on women and girls, and underscoring the human rights obligations and commitments of States to promote and protect the human rights and fundamental freedoms of women and girls and to prevent and eliminate the practice of child, early and forced marriage,

Bearing in mind that, according to the United Nations Children's Fund, approximately 15 million girls are married every year before the age of 18, and more than 700 million women and girls alive today were married before their eighteenth birthday,

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[83] A/HRC/26/22 and Corr.1.

[84] A/HRC/27/34.

[85] CEDAW/C/GC/31-CRC/C/GC/18.

Recognizing that child, early and forced marriage constitutes a serious threat to multiple aspects of the physical and psychological health of women and girls, including but not limited to their sexual and reproductive health, significantly increasing the risk of early, frequent and unintended pregnancy, maternal and newborn mortality and morbidity, obstetric fistula and sexually transmitted infections, including HIV/AIDS, as well as increasing vulnerability to all forms of violence, and that every girl and woman at risk of or affected by these practices must have equal access to quality services such as education, counselling, shelter and other social services, psychological, sexual and reproductive health-care services and medical care,

Recognizing also that child, early and forced marriage is itself a barrier to sustainable development and contributes to perpetuating the cycle of poverty and that the risk of child, early and forced marriage is also highly exacerbated in conflict and humanitarian crisis situations,

Deeply concerned by the impact of deep-rooted gender inequalities, norms and stereotypes and of harmful practices, perceptions and customs that are obstacles to the full enjoyment of human rights, in particular of women and girls, and are among the primary causes of child, early and forced marriage,

Deeply concerned also that poverty and lack of education are also among the drivers of the practice of child, early and forced marriage, and recalling the fact that child, early and forced marriage is a significant obstacle to access to and/or completion of women's and girls' education,

Recognizing that child, early and forced marriage remains an impediment not only to the economic, legal, health and social status of women and girls but also to the development of society as a whole, and that the empowerment of and investment in women and girls, the meaningful participation of girls in all decisions that affect them, and women's full, equal and effective participation at all levels of decision-making are a key factor in breaking the cycle of gender inequality and discrimination, violence and poverty and are critical for, inter alia, sustainable development, peace, security, democracy and inclusive economic growth,

Recognizing also that the complex and challenging nature of child, early and forced marriage necessitates the collective efforts of Governments, lawmakers, judicial authorities, law enforcement officials, traditional and religious leaders, civil society, the media, the private sector and other relevant stakeholders to address the root causes of this practice that exists in different economic, social and cultural settings,

Recognizing further the need for national action plans, strategies and policies to end child, early and forced marriage, and coordination mechanisms and multi-sectoral interventions that aim to prevent and eliminate the practice of child, early and forced marriage, including through national comprehensive strategies to prevent and respond to all forms of violence against children and women,

Recognizing that birth registration and marriage, divorce and death registration are part of a comprehensive civil registration system that facilitates the development of vital statistics and the effective planning and implementation of programmes and policies intended to promote better governance and to achieve internationally agreed development goals, and that the absence of compulsory registration of customary and religious marriages is a major stumbling block for the implementation of existing legislation and other initiatives to prevent and eliminate child, early and forced marriage,

Recognizing also that raising awareness of the harmful consequences of child, early and forced marriage, including among men and boys, often contributes to promoting social norms that support efforts by girls and their families to delay the age of marriage,

1. *Recognizes* that child, early and forced marriage constitutes a violation, abuse or impairment of human rights and a harmful practice that prevents individuals from living their lives free from all forms of violence, and that it has wide-ranging and adverse consequences for the enjoyment of human rights, such as the right to education and the right to the highest attainable standard of health, including sexual and reproductive health;

2. *Calls upon* States, with the participation of relevant stakeholders, including girls, women, religious and community leaders, civil society and human rights groups, men and boys, and youth organizations to develop and implement holistic, comprehensive and coordinated responses, strategies and policies to prevent and eliminate child, early and forced marriage, and to support already married girls, adolescents and women, including through the strengthening of child protection systems, protection mechanisms, such as safe shelters, access to justice and legal remedies and the sharing of best practices across borders in full compliance with international human rights obligations and commitments;

3. *Urges* States to enact, enforce, harmonize and uphold laws and policies aimed at preventing and ending child, early and forced marriage, protecting those at risk and supporting already married women and girls, and to ensure that marriage is entered into only with the informed, free and full consent of the intending spouses and that women have equality with men in all matters pertaining to marriage, divorce, child custody and the economic consequences of marriage and its dissolution;

4. *Calls upon* States to exercise due diligence in investigating, prosecuting and punishing violence against all children, paying particular attention to child- and gender-sensitive approaches, and to provide protection and universal access to comprehensive social, physical, mental and reproductive health, and legal services and counselling for all victims and survivors and to ensure their full recovery and reintegration into society;

5. *Urges* States to remove any provisions that may enable, justify or lead to child, early or forced marriage, including provisions that enable perpetrators of rape, sexual abuse or abduction to escape prosecution and punishment by marrying their victims, in particular by repealing or amending relevant laws;

6. *Also urges* States to ensure access to justice and accountability mechanisms and remedies for the effective implementation and enforcement of laws aimed at preventing and eliminating child, early and forced marriage, including by informing women and girls about their rights under relevant laws, training law enforcement officers and monitoring how they handle cases of child, early and forced marriage, improving legal infrastructure and removing all barriers to access to legal counselling, assistance and remedies;

7. *Further urges* States to strengthen their efforts to ensure free birth registration, including free or low-fee late birth registration, by means of universal, accessible, simple, expeditious and effective registration procedures, without discrimination of any kind, and marriage, divorce and death registration as part of the civil registration and vital statistics systems, especially for individuals living in rural and remote areas, including by identifying and removing all physical, administrative, procedural and any other barriers that impede access to registration and by providing, where lacking, mechanisms for the registration of customary and religious marriages;

8. *Affirms* the need for States to improve gender disaggregated data collection, research and dissemination of evidence-based and good practices relating

to the prevention and elimination of child, early and forced marriage, as well as the use of quantitative and qualitative data on harmful practices, disaggregated by sex, age, disability, geographical location, socioeconomic status, education level and other key factors, and to strengthen monitoring and impact assessment of existing policies and programmes as a means of strengthening them, ensuring their effectiveness and implementation, including in the context of the post-2015 development agenda;

9. *Calls upon* States to promote the meaningful participation and active consultation of children and young people in all issues affecting them, and to create awareness about their rights, including the negative impact of child, early and forced marriage, through safe spaces, forums and support networks that provide girls and boys with information, life skills training and the opportunities to be empowered and become agents of change within their communities;

10. *Urges* States to promote awareness-raising and to engage in dialogue within communities on the health implications of child, early and forced marriage, and to improve equal access to health-care facilities and sexual and reproductive health information, education and services, including modern forms of contraception;

11. *Calls upon* States to promote and protect the rights of women and girls to education through enhanced emphasis on quality education, including human rights education and training, and catch-up and literacy education for those who have not received formal education, including in remote areas, while recognizing that education is one of the most effective ways to prevent and end child, early and forced marriage and to help already married women and men, girls and boys to make more informed choices about their lives;

12. *Urges* Governments to promote and protect the human rights of all women and girls, including their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, and to adopt and accelerate the implementation of laws, policies and programmes that protect and enable the enjoyment of all human rights and fundamental freedoms, including reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences;

13. *Calls upon* States, with the support of humanitarian partners, and in full collaboration with concerned communities and other stakeholders, to strengthen monitoring and interventions to prevent and eliminate child, early and forced marriage in humanitarian settings and fragile situations, including by integrating and harmonizing such interventions into efforts focused on conflict prevention, protection of civilians, and access to information and services;

14. *Urges* States to prevent and eliminate child, early and forced marriage by improving safety of girls at and on the way to and from school, including by establishing a safe and violence-free environment by improving infrastructure, such as transportation, and providing separate and adequate sanitation facilities, improved lighting, playgrounds and safe environments, and adopting policies to prohibit, prevent and address violence against children, especially girls, including sexual harassment and bullying and other forms of violence, through measures such as conducting violence prevention activities in schools and communities and establishing and enforcing penalties for violence against girls;

15. *Calls upon* States and encourages other stakeholders to address social norms, gender stereotypes and harmful practices that contribute to the acceptance and continuation of the practice of child, early and forced marriage, including by raising awareness of its harm to the victims and the cost to society at large and by providing

opportunities for discussion among others, within communities, including with the involvement of unmarried girls and already married girls, adolescents and women, religious, tribal and community leaders, men and boys, and families on the benefits of delaying marriage and ensuring that girls receive education;

16. *Calls upon* States and the international community to create an environment in which the well-being of women and girls is ensured by, inter alia, cooperating, supporting and participating in efforts for the eradication of poverty, and reaffirms that investment in women and girls and the respect, protection and fulfilment of their rights are among the most effective ways to end the harmful practice of child, early and forced marriage;

17. *Urges* Governments, with the collaboration of relevant stakeholders, to tackle poverty and lack of economic opportunities for women and girls as drivers of child, early and forced marriage, including by ensuring women and girls inheritance and property rights, equal access to social protection, including direct financial support and microcredit for girls, families and guardians to encourage girls to continue their education; to develop livelihood opportunities and life skills education; and to promote women's equal access to full and productive employment and decent work, as well as equal political participation and rights to inherit, own and control land and productive resources;

18. *Also urges* Governments to take measures to support girls and women who have been subjected to child, early and forced marriage, and calls upon States and all relevant actors to strengthen, inter alia, the development, enactment, implementation and monitoring of relevant legislation and protection mechanisms, such as safe shelters, counselling and other support services, as well as empowerment programmes focusing on, inter alia, education, health, livelihood, autonomy and decision-making;

19. *Welcomes* the inclusion of a target on eliminating all harmful practices, such as child, early and forced marriage and female genital mutilation, in the outcome document of the Open Working Group on Sustainable Development Goals, recognizes child, early and forced marriage as a barrier to development and to the full realization of women's and girls' human rights, and also recognizes the need to give due consideration to the inclusion of the target in the post-2015 development agenda in order to help to ensure progress towards the elimination of child, early and forced marriage;

20. *Encourages* relevant United Nations entities, regional and subregional organizations, civil society and other relevant actors and human rights mechanisms to continue to collaborate with and support Member States in developing and implementing strategies and policies at the national, regional and international levels to prevent and eliminate child, early and forced marriage, and to support already married girls, adolescents and women;

21. *Encourages* States and all relevant stakeholders to ensure that child, early and forced marriage is given due attention in the work of the Human Rights Council, including relevant Council processes, debates and mechanisms, including the universal periodic review;

22. *Invites* relevant special procedures of the Human Rights Council and relevant treaty bodies to give due consideration to the issue of child, early and forced marriage within their respective mandates;

23. *Requests* the United Nations High Commissioner for Human Rights to organize an expert workshop before the thirty-fourth session of the Human Rights Council to review and discuss the impact of existing strategies and initiatives to address child, early and forced marriage and to make recommendations for further

action by States and the international community towards the full implementation of human rights obligations in this regard;

24. *Also requests* the High Commissioner to prepare a report on the deliberations held during the workshop and to submit it to the Human Rights Council at its thirty-fifth session;

25. *Decides* to continue its consideration of the issue of strengthening efforts to prevent and eliminate child, early and forced marriage at its thirty-fifth session.

42nd meeting
2 July 2015

[Adopted without a vote.]

29/9. Protection of human rights and fundamental freedoms while countering terrorism

The Human Rights Council,

Reaffirming its decision 2/112 of 27 November 2006 and its resolutions 6/28 of 14 December 2007, 7/7 of 27 March 2008, 10/15 of 26 March 2009, 13/26 of 26 March 2010, 19/19 of 23 March 2012 and 25/7 of 27 March 2014, and Commission on Human Rights resolutions 2003/68 of 25 April 2003, 2004/87 of 21 April 2004 and 2005/80 of 21 April 2005, recalling General Assembly resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003, 59/191 of 20 December 2004, 60/158 of 16 December 2005, 61/171 of 19 December 2006, 62/159 of 18 December 2007, 63/185 of 18 December 2008, 64/168 of 18 December 2009, 65/221 of 21 December 2010, 66/171 of 19 December 2011 and 68/178 of 18 December 2013, and welcoming the efforts of all relevant stakeholders to implement them,

1. *Calls upon* States to ensure that any measure taken to counter terrorism complies with international law, in particular international human rights, refugee and humanitarian law;

2. *Expresses serious concern* at the violations of human rights and fundamental freedoms, as well as of refugee and international humanitarian law, in the context of countering terrorism;

3. *Reaffirms* its strong and unequivocal condemnation of all acts, methods, practices and financing of terrorism, in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable, and renews its commitment to strengthen international cooperation to prevent and combat terrorism, and in that regard calls upon States and other relevant actors, including regional and subregional organizations, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars, which reaffirm, inter alia, respect for human rights for all and the rule of law as being the fundamental basis of the fight against terrorism;

4. *Stresses* the responsibility of States to protect persons in their territory against such acts, in full compliance with their international law obligations and in particular with international human rights, refugee and humanitarian law;

5. *Reaffirms* the importance of ensuring that the protection of human rights and fundamental freedoms while countering terrorism is an essential component of the work and strategies of the United Nations for supporting Member States in the context of the fight against terrorism;

6. *Deeply deplores* the suffering caused by terrorism to the victims and their families, expresses its profound solidarity with them, and stresses the importance of providing them with proper support and assistance;

7. *Urges* States, while countering terrorism, to respect and protect all human rights, including economic, social and cultural rights, bearing in mind that certain counter- terrorism measures may have an impact on the enjoyment of those rights;

8. *Reaffirms* that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group;

9. *Urges* States to ensure that measures taken to counter terrorism are not discriminatory, and not to resort to profiling based on stereotypes founded on ethnic, racial or religious grounds or any other ground of discrimination prohibited by international law;

10. *Recognizes* the work carried out by the special procedures of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism;

11. *Acknowledges* that the active participation of civil society can reinforce ongoing governmental efforts to protect human rights and fundamental freedoms while countering terrorism;

12. *Calls upon* States to ensure that measures to combat terrorism and preserve national security are in compliance with their obligations under international law, in particular under international human rights law, and do not hinder the work and safety of individuals, groups and organs of society engaged in promoting and defending human rights;

13. *Urges* States to ensure that gender equality and non-discrimination are taken into account when shaping, reviewing and implementing all counter-terrorism measures;

14. *Calls upon* States, while countering terrorism, to ensure that any person who alleges that his or her human rights or fundamental freedoms have been violated has access to an effective remedy and that victims of human rights violations receive adequate, effective and prompt reparations, which should include, as appropriate, restitution, compensation, rehabilitation and guarantees of non-recurrence;

15. *Also calls upon* States, while countering terrorism, to review their procedures, practices and legislation regarding the surveillance of communications, their interception and the collection of personal data, including mass surveillance, interception and collection, with a view to upholding the right to privacy by ensuring the full and effective implementation of all their obligations under international human rights law, and urges them to take measures to ensure that interference with the right to privacy is regulated by law, which must be publicly accessible, clear, precise, comprehensive and non-discriminatory, and that such interference is not arbitrary or unlawful, bearing in mind what is reasonable to the pursuance of legitimate aims;

16. *Urges* States to ensure that any measure taken or means employed to counter terrorism, including the use of remotely piloted aircraft, complies with their obligations under international law, including international human rights law and international humanitarian law;

17. *Also urges* States to undertake prompt, independent and impartial fact-finding inquiries whenever there are plausible indications of breaches of their obligations under international human rights law as a result of any measures taken or means employed to counter terrorism, and to ensure accountability for those responsible for violations that amount to crimes under national or international law;

18. *Notes with concern* measures that can undermine human rights and the rule of law, such as the detention of persons suspected of acts of terrorism in the absence of a legal basis for detention and due process guarantees, the unlawful deprivation of the right to life, and other fundamental freedoms, such as freedom of assembly and association, the deprivation of liberty that amounts to placing a detained person outside the protection of the law, the trial of suspects without fundamental judicial guarantees, the illegal deprivation of liberty and transfer of individuals suspected of terrorist activities, the return of suspects to countries without individual assessment of the risk of there being substantial grounds for believing that they would be in danger of subjection to torture, and limitations to effective scrutiny of counter-terrorism measures;

19. *Stresses* that all measures used in the fight against terrorism, including the profiling of individuals and the use of diplomatic assurances, memorandums of understanding and other transfer agreements or arrangements, must be in compliance with the obligations of States under international law, including international human rights, refugee and humanitarian law;

20. *Urges* States, while countering terrorism, to respect the rights to be equal before the courts and tribunals and to a fair trial, as provided for by international law, including international human rights law, such as article 14 of the International Covenant on Civil and Political Rights and, as applicable, international humanitarian law and refugee law;

21. *Also urges* States to take measures to ensure that counter-terrorism laws and implementing measures are consistent with and are applied in a manner that fully respects the rights compliant with articles 10 and 11 of the Universal Declaration of Human Rights and further codified in articles 14 and 15 of the International Covenant on Civil and Political Rights, in particular to ensure respect of the principle of certainty of the law by clear and precise provisions;

22. *Reiterates its concern* with regard to measures that can undermine human rights and the rule of law, and urges all States to take all necessary steps to ensure that persons deprived of their liberty, regardless of the place of arrest or detention, enjoy the guarantees to which they are entitled under international law, including review of their detention and other fundamental judicial guarantees;

23. *Takes note* of the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism;[86]

24. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights on the protection of human rights and fundamental freedoms while countering terrorism;[87]

25. *Requests* the Special Rapporteur, in accordance with his mandate, to continue to gather, request, receive and exchange information on alleged violations of human rights and fundamental freedoms while countering terrorism, and to report regularly to the Human Rights Council;

26. *Requests* all States to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, including by reacting promptly to urgent appeals and providing the information requested, and to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries;

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[86] A/HRC/29/51

[87] A/HRC/28/28

27. *Encourages* United Nations bodies, agencies, funds and programmes involved in supporting counter-terrorism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms, as well as due process and the rule of law, while countering terrorism;

28. *Requests* the High Commissioner and the Special Rapporteur to contribute further, appropriately, to the ongoing discussion regarding the efforts of States Members of the United Nations to put in place adequate human rights guarantees to ensure fair and clear procedures, in particular with regard to placing individuals and entities on, and removing them from, terrorism-related sanctions lists;

29. *Recalls* that the General Assembly, in its resolution 66/171, recognized the need to continue ensuring that fair and clear procedures under the United Nations terrorism- related sanctions regime are strengthened in order to enhance their efficiency and transparency, and welcomed and encouraged the ongoing efforts of the Security Council in support of those objectives, including by supporting the enhanced role of the office of the ombudsperson and continuing to review all the names of individuals and entities in the regime, while emphasizing the importance of sanctions in countering terrorism;

30. *Stresses* the importance that relevant United Nations bodies and entities and international, regional and subregional organizations, in particular those that are participating in the Counter-Terrorism Implementation Task Force, that provide technical assistance relating to the prevention and suppression of terrorism to consenting States, include, as appropriate and where consistent with their mandates, respect of international human rights law and, as applicable, international humanitarian law and refugee law, as well as the rule of law, as an important element of the technical assistance that they offer to States in the area of counter-terrorism, including by drawing on the advice of, and otherwise ensuring ongoing dialogue with, the special procedures of the Human Rights Council within their mandates and the Office of the High Commissioner and relevant stakeholders;

31. *Requests* the High Commissioner and the Special Rapporteur to present their reports, bearing in mind the content of the present resolution, to the Human Rights Council under agenda item 3, in conformity with its annual programme of work.

43rd meeting
2 July 2015

[Adopted without a vote.]

29/10. Human rights and the regulation of civilian acquisition, possession and use of firearms

The Human Rights Council,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,

Recalling the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, other international human rights law instruments and the Vienna Declaration and Programme of Action,

Recalling also General Assembly resolution 60/251 of 15 March 2006, and Human Rights Council resolutions 5/1 and 5/2 and decision 5/101 of 18 June 2007, 16/21 of 25 March 2011 and 26/16 of 26 June 2014, *Recalling in particular* that the Human Rights Council has the mandate to, inter alia, serve as a forum for dialogue on thematic issues on all human rights,

Recalling that States bear the primary responsibility under international law to promote and protect all human rights and fundamental freedoms, including the right to life and security of person, and that such responsibility may include, as appropriate, enacting and enforcing relevant national legislation,

Reaffirming that everyone has the right to life, liberty and security of person and is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Alarmed that hundreds of thousands of human beings of all ages around the world, including women and children, continue to have their human rights, in particular their right to life and security of person, negatively affected by the misuse, intentional or unintentional, of firearms, and that a significant number of such killings of women have occurred as a result of inter-partner violence,

Acknowledging that an effective national regulation of civilian acquisition, possession and use of firearms may enhance the protection of the right to life and security of person and thus contribute positively to reducing the number of victims of the misuse of firearms,

Acknowledging also the efforts made by different States at various levels, including at the regional and subregional levels, to ensure that the civilian acquisition, possession and use of firearms in their respective societies are effectively regulated,

1. *Reiterates its deep concern* at the fact that hundreds of thousands of human beings of all ages around the world, including women and children, have lost their lives or suffered injuries and psychological harm by the misuse of firearms by civilians, thus having their human rights, in particular their right to life and security of person, negatively affected;

2. *Calls once more upon* all States to do their utmost to take appropriate legislative, administrative and other measures, consistent with international human rights law and their constitutional frameworks, in order to ensure that the civilian acquisition, possession and use of firearms are effectively regulated with the aim of enhancing the protection of human rights, in particular the right to life and security of person, of all;

3. *Requests* the United Nations High Commissioner for Human Rights to present to the Human Rights Council at its thirty-second session a report on the different ways in which civilian acquisition, possession and use of firearms have been effectively regulated, with a view to assessing the contribution of such regulation to the protection of human rights, in particular the right to life and security of person, and to identify best practices that may guide States to further develop relevant national regulation if they so deem it necessary;

4. *Invites* all relevant special procedures, commissions of inquiry and human rights treaty bodies to continue to bear in mind the present resolution within the framework of their respective mandates.

43rd meeting
2 July 2015

[Adopted by a recorded vote of 41 to 0, with 6 abstentions. The voting was as follows:

In favour:

Albania, Algeria, Argentina, Bangladesh, Bolivia (Plurinational State of), Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Estonia, Ethiopia, Gabon, Germany, Ghana, India, Indonesia, Ireland, Kazakhstan, Kenya, Latvia, Maldives, Mexico, Montenegro, Morocco, Namibia, Netherlands, Nigeria, Pakistan, Paraguay, Portugal, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Abstaining:

France, Japan, Republic of Korea, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America]

29/11. The negative impact of corruption on the enjoyment of human rights

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling all relevant resolutions of the Commission on Human Rights and the Human Rights Council, including Council resolutions 19/20 of 23 March 2012 on the role of good governance in the promotion and protection of human rights, 21/13 of 27 September 2012 on a panel discussion on the negative impact of corruption on the enjoyment of human rights, and 23/9 of 13 June 2013,

Recalling also that the United Nations Convention against Corruption, to which 140 States are signatories and 175 States are parties, has been the most comprehensive and universal instrument on corruption since its entry into force on 14 December 2005, of which the purposes are outlined in its article 1,

Noting with interest the outcomes of the third, fourth and fifth sessions of the Conference of the States Parties to the United Nations Convention against Corruption, held, respectively, in Doha in 2009, in Marrakech, Morocco, in 2011, and in Panama City in 2013, and looking forward to the sixth session of the Conference, to be held in Saint Petersburg, Russian Federation, in 2015,

Reaffirming that States have the primary responsibility for the promotion and protection of human rights,

Acknowledging that good governance has a central role in the promotion and protection of human rights and in the prevention of and the fight against corruption at all levels,

Deeply concerned about the increasing negative impact of widespread corruption on the enjoyment of all human rights, including by reducing the resources available for all sectors in development, thereby hampering the realization of all human rights,

Emphasizing that human rights education and awareness-raising campaigns and other measures are important enablers for the prevention of and the fight against corruption,

Recalling that transparency, access to information, accountability, non-discrimination and meaningful participation are an integral part of sustainable and comprehensive anti-corruption measures, *Welcoming* the commitment made by all States in the 2005 World Summit Outcome[88] to make the fight against corruption a priority at all levels,

Welcoming also the engagement of States parties to the United Nations Convention against Corruption through appropriate measures, such as the development of national action plans to strengthen implementation of the Convention at the domestic level and through the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, aimed at identifying gaps and assisting countries in meeting the objectives of the Convention,

Welcoming further the efforts made to address corruption in the ongoing negotiations of the post-2015 development agenda, in particular the proposed target on substantially reducing corruption and bribery in all their forms,

Welcoming the joint statement on the negative impact of corruption on the enjoyment of human rights made on behalf of 134 States Members of the United Nations at the twentieth session of the Human Rights Council,

Welcoming also the holding by the Human Rights Council, at its twenty-second session, of a panel discussion on the negative impact of corruption on the enjoyment of human rights,

1. *Takes note with interest* of the final report of the Human Rights Council Advisory Committee on the issue of the negative impact of corruption on the enjoyment of human rights;[89]

2. *Urges* States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Corruption, and calls upon on States parties to the Convention to implement it;

3. *Underlines* the necessity to step up cooperation and coordination among different stakeholders at the national, regional and international levels to fight corruption in all its forms as a means of contributing positively to the promotion and protection of human rights;

4. *Stresses* that preventive measures are one of the most effective means of countering corruption and of avoiding its negative impact on the enjoyment of human rights, calls for the strengthening of prevention measures at all levels, and underlines that one key aspect of preventive measures is to address the needs of groups in vulnerable situations who may be the first victims of corruption;

5. *Recognizes* that the negative impact of corruption on human rights and sustainable development can be combated through anti-corruption education, and notes with appreciation the capacity-building activities and specialized curricula developed by relevant institutions, such as the United Nations Office on Drugs and Crime and the International Anti-Corruption Academy;

6. *Encourages* consideration of the need for cooperation between national anti-corruption authorities and national human rights institutions, where they exist, through the exchange of information, where appropriate, and the development of joint strategies and action plans to fight corruption and its negative effects on the enjoyment of human rights;

7. *Invites* the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime, as the secretariat of the Conference of States Parties to the United Nations Convention against Corruption, to

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[88] General Assembly resolution 60/1.

[89] A/HRC/28/73.

exchange views to deepen the understanding of the nexus between corruption and human rights;

8. *Encourages* the mechanisms of the Human Rights Council to consider, within their existing mandates, the issue of the negative impact of corruption on the enjoyment of human rights;

9. *Requests* the High Commissioner to prepare a compilation of best practices of efforts to counter the negative impact of corruption on the enjoyment of all human rights developed by States, national human rights institutions, national anti-corruption authorities, civil society and academia, with a view to submitting it the Council at its thirty-second session.

43rd meeting
2 July 2015

[Adopted without a vote.]

29/12. Unaccompanied migrant children and adolescents and human rights

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights, which proclaims that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Optional Protocol thereto on the sale of children, child prostitution and child pornography, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of Persons with Disabilities, the Vienna Convention on Consular Relations, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention against Discrimination in Education, the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization,

Recalling also previous resolutions of the General Assembly, in particular Assembly resolution 69/187 of 18 December 2014, adopted by consensus, and of the Human Rights Council on the protection of the human rights of migrants, and the work of various special mechanisms of the Council that have reported on the situation of human rights and fundamental freedoms of migrants, Commission on Population and Development resolution 2013/1 of 26 April 2013, entitled "New trends in migration: demographic aspects," and the Declaration of the High-level Dialogue on International Migration and Development, adopted on 3 October 2013,

Taking into account the attention paid by the treaty bodies, including the Committee on the Rights of the Child, to the treatment of unaccompanied and separated children outside their country of origin and their enjoyment of human rights, including in its general comment No. 6 (2005), as well as the general discussion of the Committee in 2012 on the rights of all children in the context of international migration,

Expressing serious concern about the situation of vulnerability and risk faced by migrants in transit and destination, in particular children, including adolescents, who are unaccompanied or separated from their families, who are forced to flee or decide to leave their homelands owing to multiple causes, and calling upon States of origin, transit and destination to work together to find effective and sustainable solutions within a framework of solidarity and regional and international cooperation,

Concerned by the fact that migrant children and adolescents who find themselves in a vulnerable situation by attempting to cross international borders without the required travel documents may be exposed to serious human rights violations and abuses that can threaten their physical, emotional and psychological well-being, and may also be exposed to crimes and human rights abuses committed by transnational criminal organizations or gangs, including crimes such as theft, kidnapping, extortion, physical abuse, sale of persons and trafficking in persons, including forced labour, and sexual abuse and exploitation,

Mindful of the fact that, in the fulfilment of their obligations to promote, protect and respect human rights, States of origin, transit and destination can benefit from schemes of international cooperation,

1. *Calls upon* countries of origin, transit and destination to facilitate family reunification, as appropriate, as an important objective in order to promote the welfare and the best interests of migrant children, including adolescents, as applicable under national law, due process and the relevant provisions of the Convention on the Rights of the Child and the Optional Protocols thereto, and to comply with the consular notification and access obligations set forth in the Vienna Convention on Consular Relations so that States may provide child-friendly consular assistance, as appropriate, including legal assistance;

2. *Encourages* States to continue to take into account the principle of the best interests of the child as a primary consideration, and to promote, protect and respect their human rights, bearing in mind their needs in the process of return to their countries of origin;

3. *Encourages* States of origin, transit and destination to continue to seek greater cooperation and technical assistance with all relevant stakeholders in different areas in order to identify jointly alternatives to reduce, mitigate and eliminate the causes and structural factors that lead to irregular migration so as to prevent minors from feeling compelled to migrate from their communities, while taking into account the need to promote capacity-building activities;

4. *Requests* the Advisory Committee to develop a research-based study on the global issue of unaccompanied migrant children and adolescents and human rights, in which it identifies areas, reasons and cases where this issue arises in the world, and the ways in which human rights are threatened and violated, and makes recommendations for the protection of the human rights of members of this population, and to submit it to the Human Rights Council at its thirty-third session for its consideration;

5. *Calls upon* all States to ensure that their immigration policies are consistent with their obligations under international human rights law, and to promote the enjoyment of human rights by all migrants without discrimination, including by taking steps to increase cooperation and coordination at all levels to detect and suppress the

smuggling of migrants and trafficking in persons, in accordance with international law;

6. *Requests* the special procedures of the Human Rights Council, within their mandates, to continue to give due consideration to the situation of unaccompanied migrant children, including adolescents, and the impact of this issue on the full enjoyment of their human rights, and to continue to report thereon;

7. *Decides* to remain seized of the matter.

43rd meeting
2 July 2015

[Adopted without a vote.]

29/13. Mission by the Office of the United Nations High Commissioner for Human Rights to improve human rights, accountability, reconciliation and capacity in South Sudan

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and relevant human rights treaties,

Emphasizing that States have the primary responsibility for the promotion and protection of human rights,

Recalling Human Rights Council resolution 5/1 of 18 June 2007, as well as Council resolutions 18/17 of 29 September 2011, 21/28 of 28 September 2012, 23/24 of 14 June 2013 and 26/31 of 27 June 2014 on technical assistance and capacity-building for South Sudan in the field of human rights, and President's statement PRST 25/2 of 28 March 2014,

Taking note of all relevant decisions and communiqués of the African Union and the Intergovernmental Authority on Development,

Taking note also of Security Council resolutions 2206 (2015) of 3 March 2015 and 2223 (2015) of 28 May 2015,

Deeply concerned by the allegations of human rights violations and abuses in the report of the Secretary-General on South Sudan,[90] the reports of the United Nations Mission in South Sudan dated 21 February 2014, 8 May 2014, 19 December 2014, and 9 January 2015, and the report of the United Nations High Commissioner for Human Rights,[91]

Noting with deep concern the prevailing situation on the ground marked by continued fighting and attacks against civilians, access restrictions and other impediments to humanitarian assistance, acute food insecurity and the dire humanitarian crisis, producing large populations of internally displaced persons within South Sudan and refugees outside the country,

Strongly condemning all ceasefire violations committed by the parties, as reported by the Monitoring and Verification Mechanism of the Intergovernmental Authority on Development, as well as the attacks and other egregious acts of violence and abuses of human rights against civilians, including during the fighting in Upper Nile and Unity States in April and May 2015,

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[90] S/2015/296.

[91] A/HRC/28/49.

Condemning in the strongest terms the attacks and other acts of violence and harassment targeting humanitarian agencies and their personnel and assets, while commending humanitarian agencies for their continued assistance to the affected populations, and urging all actors concerned to cooperate fully with humanitarian agencies,

Deeply concerned at the situation of human rights in South Sudan and at reports of atrocities committed since the outbreak of violence on 15 December 2013, exacerbated by the recent upsurge in violent clashes, including the targeted killing of civilians and mass displacements, and allegations of unlawful recruitment and use of child soldiers, widespread incidents of arbitrary arrest and detention, and sexual violence,

Noting with grave concern the conclusions of the United Nations Mission in South Sudan in its report of 8 May 2014 regarding violations and abuses of human rights, violations of international humanitarian law and serious crimes,

Deeply concerned at the serious reports of violence against children, including rape and other sexual violence, and brutal killing, including the slitting of throats, and burning and allowing children to bleed to death,

Expressing particular concern at the reduction of democratic space in South Sudan, including through the heightened restrictions on the exercise of the human rights to the freedoms of expression, peaceful assembly and association and limitations on the operation of civil society and the media,

Emphasizing that persistent barriers to the implementation of Security Council resolution 1325 (2000) of 31 October 2000 will only be dismantled through a dedicated commitment to women's empowerment, participation and human rights, and through concerted leadership, consistent information and action and support to build women's engagement at all levels of decision-making,

Welcoming the mediation efforts of the Intergovernmental Authority on Development and its Plus mechanism, and the contribution of the African Union, encouraging the renewed regional and international efforts to implement swiftly a comprehensive solution to end the crisis in South Sudan, and urging all parties to engage meaningfully in the peace process to bring about a political resolution to the crisis and an end to the violence,

Noting the dialogue and agreement on the reunification of the Sudanese People's Liberation Movement of 21 January 2015, commending the role played by Chama Cha Mapinduzi of the United Republic of Tanzania, the Ethiopian People's Revolutionary Democratic Front of Ethiopia and the African National Congress of South Africa in fostering dialogue and understanding among the leaders of the Sudan People's Liberation Movement, and noting also the recent reinstatement of dismissed political leaders of the Sudan People's Liberation Movement to their previous positions,

Recognizing the critical work of the Human Rights Division of the United Nations Mission in South Sudan,

Mindful of the immense challenges facing the people in South Sudan owing to its acute food and water crises, slow progress in its infrastructure and lack of services, including education and health care, all exacerbated by this man-made crisis, while encouraging the international community to continue to provide humanitarian assistance to the people of South Sudan in this regard, *Expressing concern* that the situation in South Sudan continues to be characterized by impunity,

Welcoming the establishment and work of the African Union Commission of Inquiry on South Sudan and stressing the importance of thorough and genuine investigations into all human rights violations and abuses, and violations of international humanitarian law, with a view to bringing perpetrators to justice,

Underlining the role that domestic, regional and international accountability mechanisms can play in assisting South Sudan to ensure accountability,

Taking note of the conclusions on children and armed conflict in South Sudan adopted by the Security Council Working Group on Children and Armed Conflict on 8 May 2015, welcoming the accession of South Sudan to the Convention on the Rights of the Child, and welcoming also the steps taken to accede to the Optional Protocol to the Convention on the Rights on the Child on the involvement of children in armed conflict, and calling for their swift implementation,

1. *Expresses grave concern* at the ongoing human rights violations and abuses and violations of international humanitarian law in South Sudan, including those involving alleged targeted killings, ethnically targeted violence, rape and other forms of sexual and gender-based violence, the recruitment and use of children, arbitrary arrests and detention, alleged torture, arbitrary denial of humanitarian access, violence aimed at spreading terror among the civilian population, and attacks on schools, places of worship, hospitals and United Nations and associated peacekeeping personnel, by all parties, as well as the incitement to commit such abuses and violations condemns the harassment and violence directed at civil society, humanitarian personnel and journalists, and emphasizes that those responsible for violations and abuses of human rights and violations of international humanitarian law must be held accountable;

2. *Demands* that all actors put a halt to all human rights violations and abuses and all violations of international humanitarian law, and strongly calls upon the Government of South Sudan to ensure the protection and promotion of human rights and fundamental freedoms, especially for women and children;

3. *Stresses* the importance of accountability, reconciliation and healing as prominent elements of a transitional justice mechanism, and also stresses that perpetrators of violations of international humanitarian law and human rights violations and abuses, alleged crimes against humanity and war crimes should be held accountable and brought to justice;

4. *Calls upon* the Government of South Sudan to investigate and report on atrocities, including human rights violations and abuses and violations of international humanitarian law, and to hold those responsible to account, while affording fair-trial protections and supporting victims;

5. *Welcomes* the communiqué of 13 June 2015 by the African Union Peace and Security Commission, and its plans to consider the report of the African Union Commission of Inquiry on South Sudan at a meeting in July 2015, anticipates with interest the findings and recommendations of the Commission of Inquiry, and encourages the public release of its final report as soon as possible;

6. *Recognizes* the importance of independent and public human rights monitoring, investigation and reporting mechanisms, including by South Sudan, for their usefulness in laying the groundwork for justice, accountability, reconciliation and healing among members of all South Sudanese communities;

7. *Notes* the continued positive engagement of the Intergovernmental Authority on Development and its Plus mechanism, and welcomes the appointment of

the former President of Mali, Alpha Oumar Konaré, as the African Union High Representative for South Sudan, to bring about peace and stability in South Sudan;

8. *Urges* all parties to respect and implement the agreements mediated by the Intergovernmental Authority on Development and to commit to inclusive dialogue, reconciliation and peacebuilding; notes with concern that, since the signing of the Cessation of Hostilities Agreement in January 2014, breaches have continued from both sides of the conflict; calls for the Agreement to be respected and for all fighting to cease; and urges the parties to reach a peace agreement to end the conflict;

9. *Expresses its appreciation* for the support of neighbouring countries to refugees, and calls upon the international community to help neighbouring countries hosting refugees, especially women, children and persons with disabilities;

10. *Urges* the Government of South Sudan to take immediate steps to protect the human rights to freedoms of expression, peaceful assembly and association by, among other things, ensuring that civil society organizations and the media can operate freely and without discrimination, in accordance with international human rights obligations;

11. *Strongly urges* all parties to end and prevent violations committed against children, and calls upon the armed forces of all parties to end immediately all forced or unlawful recruitment of children and to release all children that have been recruited to date;

12. *Recognizes* the important role that women play in building peace, calls for the protection and promotion of the rights of women, their empowerment and participation in peacebuilding, conflict resolution and post-conflict processes, in accordance with Security Council resolution 1325 (2000), and the need to honour commitments made by all parties and to take action to tackle sexual violence, and in this regard calls upon South Sudan to meet the commitments made in the joint communiqué on sexual violence signed with the United Nations on 11 October 2014;

13. *Reiterates* the importance of an objective assessment of the situation of human rights in South Sudan;

14. *Requests* the Office of the United Nations High Commissioner for Human Rights:

(*a*) Urgently to undertake a mission to engage with the Government of South Sudan, to monitor and report on the situation of human rights, and to undertake a comprehensive assessment of allegations of violations and abuses of human rights with a view to ensuring accountability and complementarity with the African Union Commission of Inquiry;

(*b*) To make recommendations for technical assistance and capacity-building and ways to improve the situation of human rights in the country with a view to providing support to the country in fulfilling its human rights obligations;

(*c*) To recommend on the basis of the above-mentioned assessments and the benchmarks outlined in paragraph 15 below the follow-up action that would be appropriate for the Human Rights Council to consider, including the possibility of a mechanism, as appropriate;

(*d*) To engage with the Government of South Sudan and other relevant stakeholders to incorporate a gender perspective, and to consider a full range of information, including from relevant human rights mechanisms, in particular the Human Rights Division of the United Nations Mission in South Sudan and civil society entities in the fulfilment of the present mandate with a view to help the country to fulfil its human rights obligations;

(*e*) To support domestic, regional and international efforts towards accountability, reconciliation and other transitional justice measures, including through recommendations concerning appropriate technical assistance, while taking into consideration the findings and recommendations made by the African Union Commission of Inquiry in its report;

15. *Also requests* the Office of the High Commissioner, in carrying out the above mandate, to assess the effectiveness of steps taken by the Government of South Sudan to ensure accountability for human rights violations and abuses, which could include work to establish appropriate criminal justice mechanisms; to decrease and prevent violence against children and the recruitment of child soldiers; to investigate, arrest and prosecute perpetrators of any human rights violations and abuses, and of rape and sexual violence, including those in armed groups and the military; to investigate, arrest and prosecute perpetrators of targeted killings; to increase democratic space, especially for the media and civil society; and to prevent arbitrary detention;

16. *Calls upon* the Government of South Sudan to cooperate fully with the Office of the High Commissioner in the implementation of the present resolution, including by facilitating visits and access to the country and by providing relevant information;

17. *Encourages* the Office of the High Commissioner and relevant special procedure mandate holders to provide, in consultation with the Government of South Sudan, advice and technical assistance on implementing the above-mentioned steps;

18. *Calls upon* the Government of South Sudan to cooperate constructively with the United Nations, including the United Nations Mission in South Sudan;

19. *Requests* the High Commissioner to present a preliminary oral report to the Human Rights Council at its thirtieth session, and to present a full report in an interactive dialogue, including on the issue of sexual violence, to the Council at is thirty-first session;

20. *Requests* that the Office of the High Commissioner be provided with all necessary and appropriate resources to fulfil the present mandate;

21. *Decides* to remain seized of the matter.

44th meeting
2 July 2015

[Adopted without a vote.]

29/14. Accelerating efforts to eliminate all forms of violence against women: eliminating domestic violence

The Human Rights Council,

Reaffirming the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,

Reaffirming also the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, and noting the relevant recommendations of the Committee on the Elimination of Discrimination against Women,

Reaffirming further the Vienna Declaration and Programme of Action, the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development, and the outcomes of their review conferences,

Recalling all relevant resolutions of the Human Rights Council, as well as those of the Commission on Human Rights, on the elimination of all forms of violence against women, and recalling also relevant resolutions of the General Assembly, including its resolution 69/147 of 18 December 2014 on the intensification of efforts to eliminate all forms of violence against women and girls, and those of the Security Council, and relevant resolutions and agreed conclusions of the Commission on the Status of Women,

Recalling also the political declaration adopted by the Commission on the Status of Women at its fifty-ninth session on the twentieth anniversary of the Beijing Declaration and Platform for Action, in which States pledged to take further concrete action to ensure the full, effective and accelerated implementation of the Beijing Platform for Action, and the outcome document of the twenty-third special session of the General Assembly,

Taking note of the resolution, adopted by the World Health Assembly at its sixty-seventh session, on strengthening the role of the health system in addressing violence, in particular against women and girls, and against children, and noting the recent work on the development of a global plan of action to strengthen the role of the health system within a national multisectoral response to address interpersonal violence, in particular against women and girls and against children, building on existing relevant work of the World Health Organization,

Acknowledging the important and useful role that can be played by regional conventions, instruments and initiatives to combat violence against women and girls,

Recognizing that violence against women and girls is rooted in historical and structural inequality in power relations between women and men, and that all forms of violence against women and girls seriously violate and impair or nullify their enjoyment of all human rights and fundamental freedoms and constitute a major impediment to women's full, equal and effective participation in society, the economy and political decision-making,

Gravely concerned that domestic violence, including intimate partner violence, remains the most prevalent form of violence affecting women of all social strata across the world, and emphasizing that such violence is a violation, abuse or impairment of the enjoyment of their human rights and, as such, is unacceptable,

Recognizing that violence against women and girls, including in the domestic sphere, is a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men,

Recognizing also that violence against women and girls, including domestic violence, is, inter alia, a serious violation or abuse of human rights, a societal problem and a manifestation of unequal power relations, and is intrinsically linked with gender stereotypes that underlie and perpetuate such violence, while stressing that women's empowerment, including women's economic and political empowerment, full and equal access to and control over land and resources, and participation in decision-making processes, are essential for addressing the underlying causes of violence against women and girls,

Recognizing further the serious immediate and long-term implications for health, including psychological, physical, sexual and reproductive health and the enjoyment of all human rights, that domestic violence against women of all ages can present for individuals and families, *Recognizing* the vulnerability of those who suffer multiple and intersecting forms of discrimination, such as older women, indigenous women, migrant women and women with disabilities, and the particular risk of violence they face, and stressing the urgent need to address violence and discrimination against them,

Underscoring the fact that shame, stigma, fear of reprisals and negative economic consequences, such as loss of livelihood or reduced household income, prevent many women and girls from leaving dangerous relationships, reporting or acting as witnesses in cases of domestic violence, and seeking redress and justice for these crimes,

Noting with deep concern that children can also be victims of domestic violence, including as witnesses,

Recognizing that child, early and forced marriage places individuals, in particular the girl child, at risk of being exposed to and encountering various forms of discrimination and violence throughout their lives, including domestic violence,

Recognizing also that the risk and prevalence of violence against women and girls, including domestic violence, are exacerbated in armed conflict and humanitarian crisis situations,

1. *Stresses* that "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women of any age and girls, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life, and also notes the economic and social harm caused by such violence;

2. *Also stresses* that domestic violence can take many different forms, including physical, psychological and sexual violence, economic deprivation and isolation, and neglect, occurs within the family or domestic unit, and generally between individuals who are related through blood or intimacy;

3. *Strongly condemns* all forms of violence against women of all ages, including domestic violence, while recognizing that it is an impediment to achieving gender equality and to the full realization of all human rights of women, while expressing concern that domestic violence is the most prevalent and least visible forms of violence against women and girls and that its consequences are long-lasting and profound and affect many areas in the lives of victims;

4. *Recognizes* that violence against women, including domestic violence, can take the form of an isolated act or pattern of abusive behaviour that may occur over a period of time, which as a pattern constitutes violence against women, and can include acts such as cyberbullying and cyberstalking;

5. *Urges* States to strongly condemn all forms of violence against women and girls, and to refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination, including harmful practices, such as child, early and forced marriage and female genital mutilation, as set out in the Declaration on the Elimination of Violence against Women;

6. *Underscores* that domestic violence is of public concern and that States have the primary responsibility for protecting and promoting the human rights of women and girls facing violence, including those facing domestic violence;

7. *Urges* States to support initiatives aimed at promoting gender equality and at preventing, responding to, and protecting women and girls from, domestic violence, undertaken by, inter alia, relevant women's and men's organizations, international and non-governmental organizations, the private sector, media, faith and community groups, religious leaders, parliamentarians, human rights defenders, including women human rights defenders, and other relevant civil society actors, as part of their efforts to develop targeted and accessible programmes and policies;

8. *Calls upon* States to take effective action to prevent domestic violence, including by:

(*a*) Publicly condemning, addressing and penalizing the perpetrators of offences involving physical, sexual and psychological violence and economic deprivation occurring in the family, which encompasses but is not limited to battering, sexual abuse of women and girls in the household, incest, dowry-related violence, marital rape, partner violence, femicide, female infanticide, crimes committed against women and girls in the name of so-called "honour", crimes committed in the name of passion, practices harmful to women and girls such as child, early and forced marriage, and female genital mutilation;

(*b*) Preventing violations and taking steps to prevent abuses of all human rights of women and girls, devoting particular attention to abolishing practices and legislation that discriminate against women and girls, eliminating prejudices, harmful practices and gender stereotypes and raising awareness of the unacceptability of violence against women and girls, including domestic violence, at all levels;

(*c*) Accelerating efforts to develop, review and strengthen inclusive policies, including by allocating adequate resources to address the structural and underlying causes of domestic violence against women and girls, to overcome gender stereotypes, to encourage media to examine the impact of gender-role stereotypes, including those perpetuated by commercial advertisements that foster gender-based violence and inequalities, to promote zero tolerance for such violence and to remove the stigma of being a victim and survivor of violence, thus creating an enabling and accessible environment where women and girls can easily report incidents of violence and make use of the services available, including protection and assistance programmes;

(*d*) Ensuring access to justice and effective remedies for domestic violence, to ensure accountability of perpetrators as a deterrent for domestic violence against women and girls;

(*e*) Promoting effective preventive measures at an early stage with women, families and children exposed to or at risk of domestic violence, such as parenting education and programmes and child counselling services, to reduce the risk of possible perpetration of violence or re-victimization;

(*f*) Emphasizing the important role that men and boys can play in preventing and eliminating violence against women and girls, and further developing and implementing measures that reinforce non-violent actions, attitudes and values, and encourage men and boys to take an active part and become strategic partners and allies in the prevention and elimination of all forms of violence and discrimination against women and girls, and the importance of effectively responding to violence against boys as well, in order to break intergenerational cycles of violence;

(*g*) Promoting primary prevention efforts with a coordinated range of mutually reinforcing strategies to drive a change in the culture, attitudes and behaviour that underpin violence against women and girls;

(*h*) Taking measures to empower women by, inter alia, strengthening their economic autonomy and ensuring their full and equal participation in society and in decision-making processes by adopting and implementing social and economic policies that guarantee women full and equal access to quality education, including comprehensive sexuality education,[92] and training and affordable and adequate public and social services, as well as full and equal access to financial resources and decent work, and full and equal rights to own and have access to and control over land and other property, and guaranteeing women's and girls' inheritance rights;

9. *Also calls upon* States to take effective action to respond to domestic violence, including by:

(*a*) Adopting, strengthening and implementing legislation that prohibits such violence, including partner violence and marital rape, prescribes punitive measures and establishes adequate legal protection against such violence, including victim and witness protection from reprisals for bringing complaints or giving evidence;

(*b*) Ensuring women's and girls' unimpeded access to justice, effective legal assistance and information regarding their rights without discrimination so that they have access to just and effective remedies for the harm that they have suffered, including through, where necessary, the adoption of national legislation;

(*c*) Exercising due diligence to prevent, investigate and penalize all forms of violence against women and girls and to ensure accountability for acts of domestic violence, including by providing safe and appropriate complaint channels;

(*d*) Creating, developing and implementing a set of policies, and supporting the establishment of rehabilitative services, in order to encourage and bring changes in the attitudes and behaviour of perpetrators of violence against women and girls, and to reduce the likelihood of reoffending, including in cases of domestic violence, rape and harassment, as well as monitoring and assessing their impact and effect;

(*e*) Establishing comprehensive, coordinated, interdisciplinary, accessible and sustained multisectoral services, programmes and responses at all levels to provide immediate protection and support through which shelter and legal, health and psychological counselling and other services are available to all women facing or subjected to violence, and promoting collaboration and coordination among agencies;

(*f*) Providing training to relevant public officials in law enforcement, the administration of justice, and education and health sectors to be aware of, and responsive, sensitive and diligent with regard to the nature, incidence, underlying causes and short- and long-term impact of domestic violence;

10. *Urges* States to take effective action to protect victims of domestic violence, including by:

(*a*) Providing relevant, comprehensive, victim-centered legal protections to support and assist victims of domestic violence within the framework of their national legal systems, including, as appropriate, legislative or other measures throughout the criminal and civil justice system, such as specialized courts, protection orders, the use of threat assessments and risk analysis tools, and provisions to address their special needs as witnesses, at all stages of investigations and judicial proceedings;

(*b*) Establishing comprehensive, coordinated, interdisciplinary, accessible and sustained multisectoral services, programmes and responses at all levels for all victims and survivors of all forms of violence against women and girls, including domestic violence, that are adequately resourced and include effective and coordinated action by, as appropriate, police and the justice sector, legal aid services, health-care services, including for sexual and reproductive health, and medical and psychological assistance and counselling services, as well as State and independent women's shelters and counselling centres, 24-hour hotlines, social aid services, one-stop crisis centres, child aid services, skills training and public housing services that would provide easy to reach and safe assistance for women and children, including women and girls with disabilities, as well as assistance, protection and support through access to long-term accommodation;

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[92] The *UNESCO International Technical Guidance on Sexuality Education: An evidence-informed approach for schools, teachers and health educators* (2009) defines "sexuality education" as an age-appropriate, culturally relevant approach to teaching about sex and relationships by providing scientifically accurate, realistic and non-judgemental information. Sexuality education provides opportunities to explore one's own values and attitudes and to build decision-making, communication and risk-reduction skills about many aspects of sexuality.

(*c*) Fulfilling their obligations at all levels to promote and protect all human rights and fundamental freedoms, including those of women and girls, and exercising due diligence to prevent, investigate, prosecute and hold to account perpetrators, and to eliminate impunity and provide for access to appropriate remedies for victims and survivors, and should ensure the protection and empowerment of women and girls, including through adequate enforcement by police and the judiciary of civil remedies, orders of protection and criminal sanctions;

(*d*) Establishing and/or strengthening police and health workers' response protocols and procedures to ensure that all appropriate actions are taken to protect victims of domestic violence and to prevent further acts of domestic violence;

11. *Also urges* States to ensure the promotion and protection of the human rights of all women and their sexual and reproductive health and reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences, including through the development and enforcement of policies and legal frameworks and the strengthening of health systems that make universally accessible and available quality, comprehensive sexual and reproductive health-care services, commodities, information and education, including, inter alia, safe and effective methods of modern contraception, emergency contraception, prevention programmes for adolescent pregnancy, maternal health care, such as skilled birth attendance and emergency obstetric care, which will reduce obstetric fistula and other complications of pregnancy and delivery, safe abortion where such services are permitted by national law, and prevention and treatment of reproductive tract infections, sexually transmitted infections, HIV and reproductive cancers, recognizing that human rights include the right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free from coercion, discrimination and violence;

12. *Encourages* States to improve the collection, harmonization and use of data disaggregated by sex, administrative data, including, where appropriate, from the police, the health sector and the judiciary, on incidents of violence against women and girls, including domestic violence, such as data on the relationship between the perpetrator and victim and geographic location, ensuring that confidentiality and ethical and safety considerations are taken into account in the process of data collection, and improving the effectiveness of the services and programmes provided and protecting the safety and security of the victim;

13. *Reaffirms* the importance of a stand-alone goal on achieving gender equality and the empowerment of women and girls, including a target on eliminating all forms of violence against all women and girls in the public and private spheres by 2030, and looks forward to the integration of a gender perspective into the post-2015 development agenda and the mainstreaming of gender equality and women's empowerment into all sustainable development goals, as reflected in the report of the

Open Working Group on Sustainable Development Goals,[93] which is the main basis for integrating sustainable development goals into the post-2015 development agenda, while recognizing that other inputs will also be considered;

14. *Welcomes* the mandate and the work of the Special Rapporteur on violence against women, its causes and consequences, and takes note of the thematic report on regional initiatives to combat violence against women;[94]

15. *Notes* that, in its report,[95] the Working Group on the issue of discrimination against women in law and in practice underlines the pervasiveness of domestic violence and the negative impact it has on women and on society as a whole;

16. *Welcomes* the panel discussion on domestic violence against women and girls, held during the annual full-day discussion on women's human rights at the twenty-ninth session of the Human Rights Council, and requests the Office of the United Nations High Commissioner for Human Rights to present a summary report on the discussion to the Council at its thirtieth session;

17. *Decides* to continue its consideration of the issue of the prevention and elimination of all forms of violence against women and girls, its causes and consequences as a matter of high priority and in conformity with its annual programme of work.

44th meeting
2 July 2015

[Adopted without a vote.]

29/15. Human rights and climate change

The Human Rights Council,

Guided by the Charter of the United Nations, and reaffirming the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Vienna Declaration and Programme of Action,

Recalling all its previous resolutions on human rights and climate change,

Reaffirming the United Nations Framework Convention on Climate Change and the objectives and principles thereof, and emphasizing that parties should, in all climate change-related actions, fully respect human rights as enunciated in the outcome of the sixteenth session of the Conference of Parties to the Convention,[96]

Reaffirming also the commitment to enable the full, effective and sustained implementation of the United Nations Framework Convention on Climate Change through long-term cooperative action, in order to achieve the ultimate objective of the Convention,

Acknowledging that, as stated in the United Nations Framework Convention on Climate Change, the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions,

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[93] See General Assembly resolution 68/309, and A/68/970 and Corr.1.

[94] A/HRC/29/27.

[95] A/HRC/29/40.

[96] FCCC/CP/2010/7/Add.1, dec.1/CP.16.

Acknowledging also that, as stated in the United Nations Framework Convention on Climate Change, responses to climate change should be coordinated with social and economic development in an integrated manner with a view to avoiding adverse impact on the latter, taking into full account the legitimate priority needs of developing countries for the achievement of sustained economic growth and the eradication of poverty,

Affirming that human rights obligations, standards and principles have the potential to inform and strengthen international, regional and national policymaking in the area of climate change, promoting policy coherence, legitimacy and sustainable outcomes,

Emphasizing that the adverse effects of climate change have a range of implications, both direct and indirect, for the effective enjoyment of human rights, inter alia, the right to life, the right to adequate food, the right to the enjoyment of highest attainable standard of physical and mental health, the right to adequate housing, the right to self-determination, the right to safe drinking water and sanitation and the right to development, and recalling that in no case may a people be deprived of its own means of subsistence,

Expressing concern that, while these implications affect individuals and communities around the world, the adverse effects of climate change are felt most acutely by those segments of the population that are already in vulnerable situations owing to factors such as geography, poverty, gender, age, indigenous or minority status, national or social origin, birth or other status and disability,

Expressing concern also that countries lacking the resources for implementing their adaptation plans and programmes of action and effective adaptation strategies may suffer from higher exposure to extreme weather events, in both rural and urban areas, particularly in developing countries, including those in least developed countries, small island developing States and African countries with more climate vulnerability,

Recognizing the particular vulnerabilities of non-nationals who may face challenges associated with implementing appropriate responses in extreme weather conditions owing to their status and who may have limited access to information and services, resulting in barriers to the full enjoyment of their human rights,

Affirming the commitment to enhance action on adaptation under the Cancun Adaptation Framework and to implement further the Nairobi Work Programme of the United Nations Framework Convention on Climate Change,

Welcoming the holding of the twenty-first Conference of the Parties to the United Nations Framework Convention on Climate Change in December 2015, in Paris,

Noting the importance of facilitating meaningful interaction between the human rights and climate change communities in order to build capacity to deliver responses to climate change, as outlined in the Geneva Pledge for Human Rights in Climate Action,

Noting also the establishment and the advocacy of the Climate Vulnerable Forum,

1. *Expresses concern* that climate change has contributed to the increase of both sudden-onset natural disasters and slow-onset events, and that these events have adverse effects on the full enjoyment of all human rights;

2. *Emphasizes* the urgent importance of continuing to address, as they relate to States' human rights obligations, the adverse consequences of climate change for all, particularly in developing countries and the people whose situation is most

vulnerable to climate change, especially those in a situation of extreme poverty, and deteriorating livelihood conditions;

3. *Decides* to incorporate into its programme of work for the thirty-first session, on the basis of the different elements contained in the present resolution, a panel discussion on the adverse impact of climate change on States' efforts to progressively realize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and related policies, lessons learned and good practices;

4. *Requests* the Office of the United Nations High Commissioner for Human Rights, in consultation with and taking into account the views of States, the special procedures of the Human Rights Council, the World Health Organization and other relevant international organizations and intergovernmental bodies, including the Intergovernmental Panel on Climate Change and the secretariat of the United Nations Framework Convention on Climate Change, and other stakeholders, to conduct, from within existing resources, a detailed analytical study on the relationship between climate change and the human right of everyone to the enjoyment of the highest attainable standard of physical and mental health to be submitted to the Council prior to its thirty-first session and with a view to informing the panel discussion mandated in paragraph 3 above;

5. *Also requests* the Office of the High Commissioner to submit to the Human Rights Council, at its session following the panel discussion, a summary report, including any recommendations stemming therefrom, for consideration of further follow-up action;

6. *Invites* the special procedure mandate holders, within their respective mandates, and other relevant stakeholders, including academic experts and civil society organizations, to contribute actively to the panel discussion;

7. *Encourages* relevant special procedure mandate holders to continue to consider the issue of climate change and human rights within their respective mandates;

8. *Decides* to consider the possibility of organizing follow-up events on climate change and human rights within its future programme of work;

9. *Requests* the Secretary-General and the High Commissioner to provide all the human and technical assistance necessary for the effective and timely realization of the above-mentioned panel discussion, the summary report thereon, and the analytical study;

10. *Decides* to remain seized of the matter.

44th meeting
2 July 2015

[Adopted without a vote.]

29/16. The grave and deteriorating human rights and humanitarian situation in the Syrian Arab Republic

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming all previous Human Rights Council resolutions on the Syrian Arab Republic, *Reaffirming also* its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic,

Condemning the grave deterioration of the human rights situation and the indiscriminate or deliberate targeting of civilians as such, in violation of international humanitarian law, and acts of violence that foment sectarian tensions,

Condemning also the damage to and destruction of the cultural heritage of the Syrian Arab Republic, as well as the organized looting and trafficking of its cultural property,

Expressing its deepest concern at the findings of the Independent International Commission of Inquiry on the Syrian Arab Republic and the report into the credibility of certain evidence with regard to the torture and execution of persons incarcerated by the current Syrian regime regarding the allegations contained in the evidence presented by "Caesar" in January 2014,[97]

Noting the observation of the Commission of Inquiry that, since March 2011, the Syrian authorities have conducted widespread attacks against the civilian population as a matter of policy,

Deploring the lack of cooperation by the Syrian authorities with the Commission of Inquiry,

Expressing full support for the diplomatic efforts of the Special Envoy of the Secretary-General for the Syrian Arab Republic aimed at finding a political solution on the basis of the Geneva communiqué, including for the formation of a transitional governing body with full executive powers,

1. *Welcomes* the work of the Independent International Commission of Inquiry on the Syrian Arab Republic, and notes the importance of the work of the Commission of Inquiry and the information it has collected in support of the future accountability efforts, in particular the information on alleged perpetrators violating international law;

2. *Demands* that the Syrian authorities cooperate fully with the Human Rights Council and the Commission of Inquiry by granting the Commission immediate, full and unfettered access throughout the Syrian Arab Republic;

3. *Strongly condemns* the continued gross, systematic and widespread violations and abuses of human rights and all violations of international humanitarian law by the Syrian authorities and affiliated militias, including foreign terrorist fighters and those foreign organizations fighting on behalf of the Syrian authorities, in particular Hizbullah, Asa'ib Ahl al-Haq and Liwa' Abu al-Fadl al-Abbas;

4. *Also strongly condemns* the widespread use of sexual violence and torture in detention centres, noting that such acts constitute violations of international human rights law or violations of international humanitarian law, and calls for the appropriate international monitoring bodies to be granted access to detainees in government prisons and detention centres and for the Syrian authorities to publish a list of all detention facilities;

5. *Further strongly condemns* all arbitrary detention of individuals by the Syrian authorities and demands the immediate release of all persons detained, including individuals affiliated with non-governmental organizations accredited by the Economic and Social Council, such as the Syrian Centre for Media and Freedom of Expression;

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[97] See S/2014/244, annex.

6. *Strongly condemns* the continued use of chemical weapons in the Syrian Arab Republic, including chlorine gas, which is prohibited under international law, and demands that the Syrian Arab Republic respect fully its international obligations, including the requirement that it declare its programme in full and eliminate it in its entirety;

7. *Condemns* the use by the Syrian authorities of heavy weapons, cluster munitions and aerial bombardments, including any indiscriminate use of ballistic missiles and barrel bombs and the shelling of medical facilities, and also condemns the starvation of civilians as a method of combat against the Syrian population;

8. *Strongly condemns* the terrorist acts and violence committed against civilians by the so-called Islamic State in Iraq and the Levant (Daesh), al-Nusra Front and other extremist groups, condemns in the strongest terms the violent extremist ideology professed by the so-called Islamic State in Iraq and the Levant (Daesh) and its continued gross, systematic and widespread abuses of human rights and violations of international humanitarian law, and reaffirms that terrorism, including the actions of the so-called Islamic State in Iraq and the Levant (Daesh), cannot and should not be associated with any religion, nationality or civilization;

9. *Condemns* all violations and abuses of international human rights law and all violations of international humanitarian law, including against women and children, as well as persons with disabilities, and urges all parties to the conflict not to commit indiscriminate attacks, including those that affect civilian populations and objects, to demilitarize medical facilities and schools, to comply with their obligations under international humanitarian law and to respect human rights;

10. *Strongly condemns* violence against all persons on the basis of their religious or ethnic affiliation, and calls upon all parties to respect fully international law;

11. *Calls upon* the international community to support the leadership and full participation of women in all efforts aimed at finding a political solution to the Syrian Arab Republic, as envisaged by the Security Council in its resolutions 1325 (2000) of 31 October 2000 and 2122 (2013) of 18 October 2013;

12. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of human rights law are held to account through appropriate, fair and independent domestic or international criminal justice mechanisms, and stresses the need to pursue practical steps towards this goal, noting the important role that the International Criminal Court can play in this regard;

13. *Reaffirms* that, in the context of an inclusive and credible dialogue, the Syrian people should determine the appropriate process and mechanisms to achieve justice, reconciliation, truth and accountability for gross violations and abuses of international law, as well as reparations and effective remedies for victims;

14. *Expresses deep concern* at the growing number of refugees and internally displaced persons fleeing the violence, welcomes the efforts by neighbouring countries to host Syrian refugees, and acknowledges the socioeconomic consequences of the presence of large-scale refugee populations in those countries;

15. *Deplores* the deteriorating humanitarian situation in the Syrian Arab Republic and urges the international community to provide urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

16. *Welcomes* the outcome of the third International Humanitarian Pledging Conference for Syria, held on 31 March 2015 in Kuwait City, expresses its appreciation to donor States, and calls upon all members of the international community to respond expeditiously to the Syrian humanitarian appeals and to fulfil all previous pledges;

17. *Demands* that the Syrian authorities facilitate, and that all other parties to the conflict do not hinder, the full, immediate and safe access of the United Nations and humanitarian actors, including to besieged areas, in accordance with Security Council resolutions 2165 (2014) of 14 July 2014 and 2191 (2014) of 17 December 2014, and calls upon Member States to fund fully the United Nations appeals;

18. *Reaffirms* that there can only be a political solution to the conflict in the Syrian Arab Republic, and urges the parties to the conflict in the Syrian Arab Republic to abstain from actions that may contribute to the continuing deterioration of the security and humanitarian situation in order to reach a genuine political transition based on the Geneva communiqué;

19. *Decides* to remain seized of the matter.

44th meeting
2 July 2015

[Adopted by a recorded vote of 29 to 6, with 12 abstentions. The voting was as follows:

In favour:

Albania, Argentina, Botswana, Brazil, Côte d'Ivoire, El Salvador, Estonia, France, Gabon, Germany, Ghana, Ireland, Japan, Latvia, Maldives, Mexico, Montenegro, Morocco, Netherlands, Paraguay, Portugal, Qatar, Republic of Korea, Saudi Arabia, Sierra Leone, the former Yugoslav Republic of Macedonia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Algeria, Bolivia (Plurinational State of), China, Cuba, Russian Federation, Venezuela (Bolivarian Republic of)

Abstaining:

Bangladesh, Congo, Ethiopia, India, Indonesia, Kazakhstan, Kenya, Namibia, Nigeria, Pakistan, South Africa, Viet Nam]

29/17. Situation of human rights in Belarus

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Recalling all resolutions adopted by the Commission on Human Rights, the General Assembly and the Human Rights Council on the situation of human rights in Belarus, including Council resolution 26/25 of 27 June 2014, and deploring the inadequate response and lack of cooperation by the Government of Belarus to the requests made by the Council in those resolutions, including the denial of access to the Special Rapporteur on the situation of human rights in Belarus and other special procedure mandate holders to the country,

Recalling also Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

1. *Welcomes* the reports of the Special Rapporteur on the situation of human rights in Belarus;[98]

2. *Expresses deep concern* at the continuing violations of human rights in Belarus, which are of a systemic and systematic nature, as well as at the use of torture and ill-treatment in custody, the lack of response by the Government of Belarus to cases of enforced disappearance of political opponents, the impunity of perpetrators of human rights violations, the violations of labour rights amounting to forced labour, the significant gaps in anti-discrimination legislation, the pressure on defence lawyers and the lack of participation of opposition political parties in Parliament;

3. *Calls upon* the Government of Belarus to carry out a comprehensive review of relevant legislation, policies, strategies and practices to ensure that the provisions are clearly defined, consistent with international human rights law and with its human rights obligations and commitments, and not used to impede or unduly restrict the exercise of any human right, including the right to freedom of opinion and expression, the right to peaceful assembly and the right to freedom of association, including to form and join a trade union, as well as the freedom of the media;

4. *Notes* the continued attention paid by the Special Rapporteur to the issue of the death penalty in Belarus, and encourages the parliamentary working group on the death penalty to expedite its work;

5. *Urges* the Government of Belarus to carry out a comprehensive reform of the justice sector and bar associations in order to guarantee the full independence and impartiality of the judiciary, the presumption of innocence, the right to a fair trial and the right to an effective review of sentences and convictions by a higher tribunal established by law and to freely chosen legal representation throughout all proceedings, as well as the availability of information on the implementation of all sentences, while encouraging the Government to continue recent attempts to reform the judiciary;

6. *Strongly urges* the Government of Belarus to release immediately and unconditionally and rehabilitate fully all political prisoners, to ensure that those who have been released are immediately and fully reinstated in their civil and political rights, in particular in view of the presidential election of October 2015, to address, through comprehensive, transparent and credible investigations, reports of torture and ill-treatment by law-enforcement officials and to prosecute alleged perpetrators and punish those found guilty, and to put an immediate end to the arbitrary arrest, detention and harassment of human rights defenders, political opponents and journalists, to arbitrary travel bans and to other policies aimed at intimidating representatives of the political opposition and the media, as well as human rights defenders and civil society organizations;

7. *Regrets* that Belarus has not yet taken necessary steps ahead of the presidential election of October 2015 to reform its electoral legislation, in accordance with the recommendations made in this regard by the Special Rapporteur and the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, and urges Belarus to ensure that the presidential election is free, fair, inclusive and peaceful while providing for equal treatment of all candidates before, during and after the vote, and to issue an early invitation to the Office for Democratic Institutions and Human Rights for it to conduct a potential election observation mission based on a timely needs-assessment mission;

8. *Strongly encourages* the Government of Belarus to establish a national human rights institution in accordance with the principles relating to the status of

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[98] A/HRC/29/43 and A/69/307

national institutions for the promotion and protection of human rights (the Paris Principles), and to enhance the progress made towards reaching the Millennium Development Goals;

9. *Decides* to extend the mandate of the Special Rapporteur on the situation of human rights in Belarus for a period of one year, and requests the Special Rapporteur to submit a report on the situation of human rights in Belarus to the Human Rights Council at its thirty-second session and to the General Assembly at its seventy-first session;

10. *Urges* the Government of Belarus to cooperate fully with the Special Rapporteur, including by providing him access to visit the country and the information necessary to facilitate the fulfilment of the mandate;

11. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with the assistance and resources necessary to allow the fulfilment of the mandate.

44th meeting
2 July 2015

[Adopted by a recorded vote of 21 to 8, with 18 abstentions. The voting was as follows:

In favour:

Albania, Argentina, Botswana, Brazil, Estonia, France, Gabon, Germany, Ireland, Japan, Latvia, Maldives, Montenegro, Netherlands, Paraguay, Portugal, Republic of Korea, Sierra Leone, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Bolivia (Plurinational State of), China, Cuba, India, Kazakhstan, Russian Federation, Venezuela (Bolivarian Republic of), Viet Nam

Abstaining:

Algeria, Bangladesh, Congo, Côte d'Ivoire, El Salvador, Ethiopia, Ghana, Indonesia, Kenya, Mexico, Morocco, Namibia, Nigeria, Pakistan, Qatar, Saudi Arabia, South Africa, United Arab Emirates]

29/18. Situation of human rights in Eritrea

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling resolution 91 and decisions 250/2002 and 275/2003 of the African Commission on Human and Peoples' Rights,

Recalling also its resolution 5/1, on institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, both of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling further its resolutions 20/20 of 6 July 2012, 23/21 of 14 June 2013 and 26/24 of 27 June 2014, *Commending* the commission of inquiry on human rights in Eritrea for completing its work in a transparent, impartial and consultative manner,

Deeply regretting the lack of cooperation by the Government of Eritrea with the commission of inquiry and the Special Rapporteur on the situation of human rights in Eritrea, including the lack of access to the country,

Stressing the importance of the first-hand accounts of victims and witnesses who delivered testimonies at the confidential interviews held by the commission and through written submissions,

Emphasizing that everyone has the right to take part in the conduct of public affairs of his or her country, directly or through freely chosen representatives, and expressing grave concern that national elections in Eritrea have not been held since 1993 and that the Constitution of 1997 has never been implemented,

Reiterating its deep concern at the ongoing reports of grave violations of human rights by the Eritrean authorities against their own population and fellow citizens,

Expressing deep concern at the commission's findings that systematic, widespread and gross human rights violations have been and are being committed by the Government of Eritrea, and that the violations in the areas of extrajudicial executions, torture and ill-treatment, including sexual violence and abuse, national service and forced labour may constitute crimes against humanity,

Noting with grave concern the continued use by the Government of Eritrea of arbitrary arrest and detention, including incommunicado detention and in life-threatening conditions, of persons for suspected of evasion of national service, attempting to flee the country or having a family member who has fled, inability to produce identity documents, being a journalist, exercising the right to freedom of religion, being perceived as critical of the Government, and of those who return to the country, as well as those detained in the aftermath of the takeover on 21 January 2013 of the building housing the Ministry of Information,

Expressing grave concern at the widespread use of indefinite conscription into national service, a system that constitutes forced labour, and the reported forced conscription of children under the age of 18 into military service, and regretting that the fear and experience of a lengthy national service causes large numbers of Eritreans to leave the country,

Expressing grave concern also at reports that the Government of Eritrea is also forcing persons to participate in its citizen militia,

Deeply concerned that the situation of human rights in Eritrea incites an ever-increasing number of Eritreans to leave their country, often facing risks of abduction, abhorrent physical and mental abuse and other ill-treatment on their migration path, abused by smugglers and human traffickers,

Reaffirming that everyone has the right to leave any country, including his or her own, and to return to his or her country,

Noting the participation of Eritrea in the second cycle of the universal periodic review and its approval of several recommendations, while regretting the lack of implementation by Eritrea of the recommendations made at its first review,

Recalling the obligations of Eritrea under the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

1. *Welcomes* the report of the commission of inquiry on the situation of human rights in Eritrea,[99] and notes the importance of the work of the commission of inquiry and the information it has collected in support of future accountability efforts;

2. *Also welcomes* the third report of the Special Rapporteur on the situation of human rights in Eritrea;[100]

3. *Strongly condemns* the systematic, widespread and gross human rights violations that have been and are being committed by the Government of Eritrea in a climate of generalized impunity;

4. *Condemns in particular* the extrajudicial executions, enforced disappearances, torture, arbitrary and incommunicado detentions, and human rights violations in the context of indefinite national service, including those involving forced labour, forced military conscription of children and sexual violence;

5. *Expresses its deep concern* at the severe restrictions on the rights to freedom of opinion and expression, freedom of information, liberty of movement, freedom of thought, conscience and religion, and freedom of peaceful assembly and association, and at the detention of journalists, human rights defenders, political actors, religious leaders and practitioners in Eritrea;

6. *Reiterates* its numerous calls upon the Government of Eritrea, without delay:

(*a*) To end its use of arbitrary detention of its citizens, and to end the use of torture or other cruel, inhumane and degrading treatment or punishment;

(*b*) To account for and release all political prisoners, including members of the G-15 reform group and journalists;

(*c*) To account for those detained in the aftermath of the takeover on 21 January 2013 of the building housing the Ministry of Information, and to release them or to ensure that they are given a free and fair trial, with full respect for due process;

(*d*) To ensure free and fair access to an independent judicial system for those detained, and to improve prison conditions, including by prohibiting the use of underground cells and shipping containers to hold prisoners, ending the use of secret detention centres and secret courts and the practice of incommunicado detention, allowing regular access to prisoners for relatives, legal advocates and other competent and legally authorized authorities and institutions, and to grant unhindered access to medical care;

(*e*) To put an end to the system of indefinite national service by demobilizing the national service conscripts who have completed their mandatory 18 months of service, as announced by the Government of Eritrea, and by effectively ending the practice of engaging them in forced labour after such a period, to provide for conscientious objection to military service, and to end the compulsory practice of all children undertaking the final year of schooling in a military training camp;

(*f*) To end the practice of forcing citizens to participate in the militia;

(*g*) To investigate promptly all allegations of extrajudicial killings, torture and other cruel, inhumane and degrading treatment or punishment rape and sexual abuse within the national service, and to bring perpetrators to justice;

(*h*) To end the practice of shooting at Eritrean citizens attempting to cross the border to flee the country;

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[99] A/HRC/29/42.

[100] A/HRC/29/41.

(*i*) To collaborate with human rights and humanitarian organizations and to allow them to operate in Eritrea without fear or intimidation in order to facilitate the full implementation of the Strategic Partnership Cooperation Framework for 2013-2016 signed by the Government of Eritrea and the United Nations on 28 January 2013, as well as other human rights-related projects;

(*j*) To respect everyone's right to freedom of expression and to freedom of thought, conscience and religion or belief, and the rights to freedom of peaceful assembly and of association;

(*k*) To enhance further the promotion and protection of women's rights, including by taking additional measures to combat harmful practices, such as child, early and forced marriage and female genital mutilation;

(*l*) To implement the recommendations made during its second universal periodic review, to report on progress made and to cooperate fully with the Human Rights Council and the universal periodic review during its third cycle;

(*m*) To end "guilt-by-association" policies that target family members of those who evade national service or seek to flee Eritrea;

(*n*) To cooperate fully with the Office of the United Nations High Commissioner for Human Rights in accordance with its international human rights obligations by, inter alia, allowing unhindered access to a further mission by the Office as requested by the High Commissioner, the human rights treaty bodies and all mechanisms of the Human Rights Council, and to cooperate with all international and regional human rights mechanisms;

(*o*) To provide the Office of the High Commissioner with all relevant information on the identity, safety, well-being and whereabouts of all detained persons and persons missing in action, including members of the G-15, journalists, those detained in the aftermath of the takeover on 21 January 2013 of the building housing the Ministry of Information, and the 19 Djiboutian combatants;

(*p*) To allow the creation of political parties and to hold free, fair and transparent democratic elections at all levels, in accordance with international democratic standards;

(*q*) To account for the modalities and the progress of the expert group appointed to work on a constitution for Eritrea, while implementing the Constitution of 1997 in the meantime, and to govern in accordance with the principles of the rule of law;

7. *Urges* Eritrea to make available information pertaining to the Djiboutian combatants missing in action since the clashes of 10 to 12 June 2008 so that those concerned may ascertain the presence and condition of Djiboutian prisoners of war;

8. *Calls upon* the Government of Eritrea to take immediate and concrete steps to implement recommendations made by the commission of inquiry in its report in order to address the dire situation of human rights in the country;

9. *Decides* to extend the mandate of the Special Rapporteur on the situation of human rights in Eritrea for a period of one year, and requests the mandate holder to present an oral update to the Human Rights Council at its thirty-first session and to address and engage in an interactive dialogue with the General Assembly at its seventieth session;

10. *Also decides* to extend, for a period of one year, the mandate of the commission of inquiry to investigate systematic, widespread and gross violations of

human rights in Eritrea with a view to ensuring full accountability, including where these violations may amount to crimes against humanity;

11. *Requests* the commission of inquiry to present an oral update to the General Assembly at its seventy-first session, and a written report to the Council at its thirty-second session;

12. *Calls upon* the Government of Eritrea to cooperate fully with the Special Rapporteur and the commission of inquiry, to permit them and their staff members unrestricted access to visit the country, to give due consideration to the recommendations contained in the reports of the Special Rapporteur, and to provide them with the information necessary for the fulfilment of their mandates, and underlines the importance for all States to lend their support to the Special Rapporteur and the commission of inquiry for the discharge of their mandates;

13. *Urges* the international community to cooperate fully with the Special Rapporteur and the commission of inquiry;

14. *Also urges* the international community to strengthen efforts and collaboration to ensure the protection of those fleeing from Eritrea, in particular the increasing number of unaccompanied children;

15. *Requests* the Secretary-General to provide the Special Rapporteur and the commission of inquiry with all information and the resources necessary to fulfil their mandates;

16. *Decides* to transmit all reports and oral updates of the commission of inquiry to all relevant bodies of the United Nations, including the General Assembly and the Secretary-General, for appropriate action;

17. *Requests* the Office of the High Commissioner to continue to enhance engagement in improving the situation of human rights in Eritrea, and to report on progress in the cooperation between Eritrea and the Office to the Human Rights Council at its thirty-first session;

18. *Decides* to remain seized of the matter.

44th meeting
2 July 2015

[Adopted without a vote.]

29/19. The Social Forum

The Human Rights Council,

Recalling all previous resolutions and decisions adopted on the Social Forum by the Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights, as well as by the Economic and Social Council,

Recalling also Human Rights Council resolutions 5/1 of 18 June 2007, 6/13 of 28 September 2007, 10/4 of 25 March 2009, 10/29 of 27 March 2009, 13/17 of 25 March 2010, 16/26 of 25 March 2011, 19/24 of 23 March 2012, 24/25 of 27 September 2013 and 26/28 of 27 June 2014,

Bearing in mind that the reduction of poverty and the elimination of extreme poverty remain an ethical and moral imperative of humankind, based on the respect for human dignity,

Reaffirming the unique nature within the United Nations of the Social Forum, which makes possible a dialogue and an exchange between the representatives of

Member States and civil society, including grass-roots organizations and intergovernmental organizations, and stressing that the current reform of the United Nations should take into account the contribution of the Forum as a vital space for open and fruitful dialogue on issues linked with the national and international environment needed for the promotion of the enjoyment of all human rights by all,

1. *Takes note with appreciation* of the report of the Chairman-Rapporteur of the 2015 Social Forum,[101] held in Geneva from 18 to 20 February 2015;

2. *Takes note* of the conclusions and recommendations of the 2015 Social Forum, and encourages States, international organizations, non-governmental organizations, civil society organizations, trade unions and other relevant actors to take them into account when designing and implementing programmes and strategies;

3. *Reaffirms* the Social Forum as a unique space for interactive dialogue between the United Nations human rights machinery and various stakeholders, including the contribution of civil society and grass-roots organizations, and stresses the need to ensure greater participation of grass-roots organizations and of those living in poverty, particularly women, especially from developing countries, in the sessions of the Forum;

4. *Underlines* the importance of coordinated efforts at the national, regional and international levels for the promotion of social cohesion based on the principles of social justice, equity and solidarity and of addressing the social dimension and challenges of the ongoing globalization process and the negative impact of the current economic and financial crises;

5. *Stresses* the need for increased and sustained participation and contribution of civil society and all other relevant actors listed in the present resolution to the promotion and effective realization of the right to development;

6. *Decides* that the Social Forum will meet for three working days in 2016, in Geneva, on dates suitable for the participation of representatives of States Members of the United Nations and of the broadest possible range of other stakeholders, especially from developing countries, and also decides that, at its next meeting, the Forum should focus on the promotion and full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities in the context of the tenth anniversary of the adoption of the Convention on the Rights of Persons with Disabilities;

7. *Requests* the President of the Human Rights Council to appoint, as early as possible, from candidates nominated by regional groups, the Chairperson-Rapporteur for the 2016 Social Forum, bearing in mind the principle of regional rotation;

8. *Requests* the Office of the United Nations High Commissioner for Human Rights to make available the most recent and relevant United Nations reports and documents on the promotion and full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities as background documents for the dialogues and debates that will be held at the 2016 Social Forum;

9. *Requests* the High Commissioner to facilitate the participation in the 2016 Social Forum, in order to contribute to interactive dialogues and debate at the Forum and to assist the Chairperson-Rapporteur as resource persons, of no fewer than 10 experts, including representatives of civil society and grass-roots organizations in developing countries, the Special Envoy of the Secretary-General on Disability and Accessibility and the Special Rapporteur on the rights of persons with disabilities;

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[101] A/HRC/29/44.

10. *Decides* that the Social Forum will remain open to the participation of representatives of States Members of the United Nations and all other interested stakeholders, such as intergovernmental organizations, different components of the United Nations system, especially mandate holders of thematic procedures and mechanisms of the human rights machinery, regional economic commissions and specialized agencies and organizations, as well as representatives designated by human rights national institutions and non-governmental organizations in consultative status with the Economic and Social Council, and will also be open to other non-governmental organizations whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, including newly emerging actors, such as small groups and rural and urban associations from the North and the South, anti-poverty groups, peasants' and farmers' organizations and their national and international associations, voluntary organizations, environmental organizations and activists, youth associations, community organizations, trade unions and associations of workers, as well as representatives of the private sector, on the basis of arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996 and practices observed by the Commission on Human Rights, through an open and transparent accreditation procedure, in accordance with the rules of procedure of the Human Rights Council, while ensuring the most effective contribution of these entities;

11. *Requests* the Office of the High Commissioner to seek effective means of ensuring consultation and the broadest possible participation of representatives from every region, in particular, representatives of persons with disabilities, especially those from developing countries, in the Social Forum, including by establishing partnerships with non-governmental organizations, the private sector and international organizations;

12. *Requests* the Secretary-General to take appropriate measures to disseminate information about the Social Forum, to invite relevant individuals and organizations to the Forum and to take all practical measures required for the success of this initiative;

13. *Invites* the 2016 Social Forum to submit a report containing its conclusions and recommendations to the Human Rights Council at its thirty-fourth session;

14. *Requests* the Secretary-General to provide the Social Forum with all the services and facilities necessary to fulfil its activities, including by making the discussions fully accessible to persons with disabilities, and requests the High Commissioner to provide all the support necessary to facilitate the convening and proceedings of the Forum;

15. *Encourages* all Member States to participate in the discussions of the Social Forum so that worldwide representation in the debates can be ensured;

16. *Decides* to continue consideration of this issue at its thirty-second session under the same agenda item.

44th meeting
2 July 2015

[Adopted without a vote.]

29/20. The incompatibility between democracy and racism

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, *Recalling* the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant international documents,

Recalling also the commitment reached in the Vienna Declaration and Programme of Action concerning the elimination of racism, racial discrimination, xenophobia and related intolerance,

Recalling further the Durban Declaration and Programme of Action, adopted in September 2001 at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

Acknowledging that the Durban Declaration and Programme of Action, in its paragraphs 81 and 85, and the outcome document of the Durban Review Conference, in its paragraphs 10 and 11, recognize the incompatibility between democracy and racism,

Recalling General Assembly resolutions 68/237 of 23 December 2013, in which the Assembly proclaimed the International Decade for People of African Descent, commencing on 1 January 2015 and ending on 31 December 2024, with the theme "People of African descent: recognition, justice and development", and 69/16 of 18 November 2014, in which it adopted the programme of activities for the implementation of the International Decade for People of African Descent,

Recalling also Human Rights Council resolution 18/15 of 29 September 2011 and Council decision 2/106 of 27 November 2006, and Commission on Human Rights resolutions 2000/40 of 20 April 2000, 2001/43 of 23 April 2001, 2002/39 of 23 April 2002, 2003/41 of 23 April 2003, 2004/38 of 19 April 2004 and 2005/36 of 19 April 2005, on the incompatibility between democracy and racism,

Bearing in mind all relevant reports of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and of the United Nations High Commissioner for Human Rights with regard to the incompatibility between democracy and racism,

Taking note with appreciation of the report of the High Commissioner on the incompatibility between democracy and racism, presented to the Human Rights Council at its twenty-first session,[102]

Remaining alarmed at the rise of racism, racial discrimination, xenophobia and related intolerance in political circles, in the sphere of public opinion and in society at large,

Emphasizing that democracy, transparent, responsible, accountable and participatory governance responsive to the needs and aspirations of the people, and respect for human rights, fundamental freedoms and the rule of law are essential for the effective prevention and elimination of racism, racial discrimination, xenophobia and related intolerance,

Reaffirming that acts of racial violence do not constitute legitimate expressions of opinion but rather unlawful acts or offences, and that acts of racism and discrimination endorsed by Governments and public authorities may threaten democracy,

Recognizing the importance of freedom of speech and expression and the fundamental role of education and other active policies in the promotion of tolerance and respect for others and in the construction of pluralistic and inclusive societies,

Condemning political platforms and organizations based on racism, xenophobia or doctrines of racial superiority and related discrimination, and legislation and practices based on racism, racial discrimination, xenophobia and related intolerance, as incompatible with democracy and transparent and accountable governance,

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[102] A/HRC/21/27.

Emphasizing the importance that States reinforce their commitment to promote tolerance and human rights and to fight against racism, racial discrimination, xenophobia and related intolerance as a way to strengthen democracy, the rule of law and transparent and accountable governance,

Reaffirming that any form of impunity condoned by public authorities for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such acts,

1. *Reaffirms* that racism, racial discrimination, xenophobia and related intolerance condoned by governmental policies violate human rights, as established in the relevant international and regional human rights instruments, and are incompatible with democracy, the rule of law and transparent and accountable governance;

2. *Decides* to convene, at its thirty-first session, a panel discussion on the incompatibility between democracy and racism with a view to identifying challenges and good practices;

3. *Requests* the United Nations High Commissioner for Human Rights to organize the panel discussion in consultation with States, relevant United Nations bodies, funds and programmes, treaty bodies, special procedures and regional human rights mechanisms, as well as with civil society, non-governmental organizations, national human rights institutions and specialized national equality bodies as appropriate with a view to ensuring their participation in the panel discussion;

4. *Also requests* the High Commissioner to prepare a summary report on the panel discussion for submission to the Human Rights Council at its thirty-second session.

44th meeting
2 July 2015

[Adopted without a vote.]

29/21. Situation of human rights of Rohingya Muslims and other minorities in Myanmar

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling President's statement PRST 23/1 of 14 June 2015,

Noting all relevant resolutions of the General Assembly and the Human Rights Council, the latest being Council resolution 28/23 of 27 March 2015,

Stressing that States have the primary responsibility for the promotion and protection of human rights,

Condemning all violations and abuses of human rights in Myanmar, in particular against Rohingya Muslims and persons belonging to other minorities, resulting in their socioeconomic exploitation, including forced displacement, *Noting with concern* the irregular migration in the Andaman Sea of Rohingya Muslims from Myanmar and their exploitation by criminal rings, and welcoming the commitments by Governments in the region to provide temporary shelter and protection to them,

Acknowledging that the denial of citizenship status and related rights to Rohingya Muslims and others, including voting rights, is a serious human rights concern,

Reaffirming the importance of cooperation with the Government of Myanmar in taking all necessary measures to promote and protect human rights in its territory without any discrimination, including against Rohingya Muslims and members of other communities in Myanmar,

1. *Condemns* the systematic gross violations of human rights and abuses committed in Rakhine State, in particular against Rohingya Muslims;

2. *Calls upon* the Government of Myanmar to ensure the protection of human rights of all persons in Myanmar, including of Rohingya Muslims;

3. *Also calls upon* the Government of Myanmar to take the necessary measures to address the spread of discrimination and prejudice against Muslims and members of national, ethnic, religious and linguistic minorities across the country, and to combat the incitement of hatred against Muslims by publicly condemning such acts;

4. *Calls upon* political and religious leaders in the country to work for a peaceful resolution through dialogue towards national unity;

5. *Calls upon* the Government of Myanmar to take all necessary measures to ensure accountability and to end impunity for all violations of human rights, including in particular against Muslims, by undertaking a full, transparent and independent investigation into reports of all violations of international human rights law and international humanitarian law;

6. *Urges* the Government of Myanmar to take all necessary measures to prevent the discrimination and exploitation, including through trafficking, of Rohingya Muslims and others by addressing the root causes compelling them to be more vulnerable and exposed to such acts;

7. *Also urges* the Government of Myanmar to take all necessary measures to prevent the destruction of places of worship, cemeteries, infrastructure and commercial or residential buildings belonging to all peoples;

8. *Calls upon* the Government of Myanmar, in conjunction with the international community and in accordance with international law, to ensure the safe and voluntary return of all refugees and persons displaced from their homes, including Muslims;

9. *Urges* the Government of Myanmar to grant full citizenship rights, in keeping within a transparent due process, to Rohingya Muslims in Rakhine State, including by reviewing the 1982 Citizenship Law;

10. *Calls upon* the Government of Myanmar to ensure full cooperation with all parties and to allow full access of humanitarian assistance to affected persons and communities, and in this regard urges the Government to implement the various cooperation agreements not yet implemented made between the authorities of Myanmar and the international community for the distribution of humanitarian aid to all affected areas, including Rakhine State, without any discrimination;

11. *Requests* the United Nations High Commissioner for Human Rights to present an oral update to the Human Rights Council at its thirtieth session and a report

at its thirty-second session on the human rights violations and abuses against Rohingya Muslims and other minorities in Myanmar, particularly the recent incidents of trafficking and forced displacement of Rohingya Muslims.

45th meeting
3 July 2015

[Adopted without a vote.]

29/22. Protection of the family: contribution of the family to the realization of the right to an adequate standard of living for its members, particularly through its role in poverty eradication and achieving sustainable development

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the Vienna Declaration and Programme of Action, the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development, and recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and other relevant human rights instruments, including the Declaration on the Right to Development,

Recalling Human Rights Council resolution 26/11 of 26 June 2014 entitled "Protection of the family",

Recalling also General Assembly resolutions 44/82 of 8 December 1989, 47/237 of 20 September 1993, 50/142 of 21 December 1995, 52/81 of 12 December 1997, 54/124 of 17 December 1999, 56/113 of 19 December 2001, 57/164 of 18 December 2002, 58/15 of 3 December 2003, 59/111 of 6 December 2004, 59/147 of 20 December 2004, 60/133 of 16 December 2005, 62/129 of 18 December 2007, 64/133 of 18 December 2009, 66/126 of 19 December 2011, 67/142 of 20 December 2012, 68/136 of 18 December 2013 and 69/144 of 18 December 2014, concerning the proclamation of, preparations for, and observance and commemoration of the International Year of the Family and its tenth and twentieth anniversaries,

Recognizing that the preparations for and observance of the twentieth anniversary of the International Year of the Family provide a unique opportunity to draw further attention to the objectives of the International Year for increasing cooperation at all levels on family issues and for undertaking concerted actions to strengthen family-centred policies and programmes as part of an integrated comprehensive approach to the advancement of human rights and development,

Reaffirming that States have the primary responsibility to promote and protect the human rights and fundamental freedoms of all human beings,

Recognizing that the family has the primary responsibility for the nurturing and protection of children, and that children, for the full and harmonious development of their personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Reaffirming that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State,

Noting with concern that the contribution of the family in society and in the achievement of development goals continues to be largely overlooked and underemphasized, and recognizing the potential of the family to contribute to national development and to the achievement of major objectives of every society and of the United Nations, including the eradication of poverty and the creation of just, stable and secure societies,

Conscious that the majority of the internationally agreed development goals, especially those relating to the reduction of poverty, education of children and the reduction of maternal mortality, would be difficult to attain unless the strategies to achieve them focus on the family, which can contribute positively to, inter alia, eradicating poverty and hunger, achieving universal primary education, promoting gender equality and empowering women, reducing child mortality, improving maternal health, and combating HIV/AIDS, malaria and other diseases,

1. *Welcomes* the holding of the panel discussion on the protection of the family and its members by the Human Rights Council on 15 September 2014, during its twenty-seventh session, and takes note of the summary of the panel discussion contained in the report of the Office of the United Nations High Commissioner for Human Rights;[103]

2. *Also welcomes* the holding of a plenary meeting during the sixty-ninth session of the General Assembly, in December 2014, on the observance of the twentieth anniversary of the International Year of the Family, in order to discuss the role of family-oriented policies in the elaboration of the post-2015 development agenda, and acknowledges all other international and regional initiatives in the context of celebrating that anniversary;

3. *Acknowledges* the efforts made by Governments, the United Nations system and civil society to fulfil the objectives guiding the preparations for the twentieth anniversary of the International Year at the national, regional and international levels, and urges States to continue to make every possible effort to realize the objectives of the International Year and its follow-up processes, and to develop strategies and programmes aimed at strengthening national capacities to address national priorities relating to family issues;

4. *Reaffirms* that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State;

5. *Also reaffirms* that States have the primary responsibility to promote and protect the human rights and fundamental freedoms of all human beings, and stresses the fundamental importance of full respect for human rights and fundamental freedoms of all family members;

6. *Recognizes* that the family, while respect for the rights of its members is ensured, is a strong force for social cohesion and integration, intergenerational solidarity and social development, and that the family plays a crucial role in the preservation of cultural identity, traditions, morals, heritage and the values system of society;

7. *Conscious* that families are sensitive to strain caused by social and economic changes, and expresses deep concern that conditions have worsened for

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[103] A/HRC/28/40.

many families owing to economic and financial crises, lack of job security, temporary employment and lack of regular income and gainful employment, as well as measures taken by Governments seeking to balance their budget by reducing social expenditure;

8. *Recognizes* that the family unit is facing increasing vulnerabilities;

9. *Urges* Member States to create a conducive environment to strengthen and support all families, recognizing that equality between women and men and respect for all the human rights and fundamental freedoms of all family members are essential to family well-being and to society at large, noting the importance of reconciliation of work and family life and recognizing the principle of shared parental responsibility for the upbringing and development of the child;

10. *Reaffirms* the need to promote and protect the rights of the child, and in this regard calls upon States to render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities in the best interests of the child, bearing in mind that a child should grow up in a safe and supportive family environment, and giving high priority to the rights of the children, including to survival, protection and development;

11. *Stresses* that equality between women and men, women's equal participation in employment and shared parental responsibility are essential elements of a policy on the family;

12. *Regrets* that women's social and economic contributions to the welfare of the family and the social significance of maternity and paternity continue to be inadequately addressed and that women continue on many occasions to bear a disproportionate share of household responsibilities and the care of children, the sick and elderly, and in this regard emphasizes the need to consistently address such imbalances and to ensure that maternity, motherhood, parenting and the role of women in procreation is not a basis for discrimination nor for restricting the full participation of women in society;

13. *Notes* that single-headed households, child-headed households and intergenerational households are particularly vulnerable to poverty and social exclusion;

14. *Resolves* to pay particular attention to family units headed by women and children, while bearing in mind that a considerable proportion of households worldwide are headed by women and many other households are dependent on female income, and that female-maintained households are very often among the poorest because of wage discrimination, occupational segregation patterns in the labour market and other gender-based barriers;

15. *Emphasizes* that States should ensure that children with disabilities have equal rights with respect to family life with a view to realizing these rights, and prevent concealment, abandonment, neglect and segregation of children with disabilities, and that States should take measures to provide early and comprehensive information, services and support to children with disabilities and their families;

16. *Stresses* that persons with disabilities and their family members should receive the necessary protection and assistance to enable families to contribute to the full and equal enjoyment of the rights of persons with disabilities, and that States should, where the immediate family is unable to care for a child with disabilities, make every effort to provide alternative care within the wider family, and failing that, within the community in a family setting;

17. *Recognizes* the positive impact that policies and measures to protect the family can have on protecting and promoting the human rights of its members and can

contribute to, inter alia, decreasing drop-out rates from educational institutions, achieving equality between women and men and girls and boys, empowering women and girls and enhancing the protection against violence, abuses, sexual exploitation, harmful practices and the worst forms of child labour, while bearing in mind that violations and abuses of the human rights and fundamental freedoms of family members adversely affect families and have a negative impact on efforts aimed at protecting the family;

18. *Underlines* the importance of strengthening intergenerational partnerships and solidarity among generations, and calls upon States in this regard to promote opportunities for voluntary, constructive and regular interaction between young people and older generations in the family, in the workplace and in society at large;

19. *Recognizes* that stable, supportive and nurturing family relationships, supported by communities and, where available, professional services, can provide a vital shield against substance abuse, particularly among minors;

20. *Urges* States, in accordance with their respective obligations under international human rights law, to provide the family, as the natural and fundamental group unit of society, with effective protection and assistance, and encourages States in this regard to take, as appropriate and to the maximum of their available resources, measures including:

(*a*) Creating family-friendly policies to support the family, and assessing such policies and programmes for their impact on family well-being;

(*b*) Designing, implementing and promoting family-sensitive policies in the field of housing, work, health, social security and education in order to create an environment supportive of the family, including affordable, accessible and quality care services for children and other dependants, parental and other leave schemes, campaigns to sensitize public opinion and other relevant actors on equal sharing of employment and family responsibilities between women and men;

(*c*) Analysing policies and programmes, including those relating to macroeconomic stability, structural adjustment programmes, taxation, investments, employment, markets and all relevant sectors of the economy with respect to their impact on family well-being and conditions;

(*d*) Supporting research and developing comprehensive strategies to enhance the ability of families and communities to care for older family members and to reinforce the role of grandparents in raising grandchildren;

(*e*) Addressing the causes and mitigating the consequences of family disintegration;

(*f*) Facilitating, as appropriate, the integration of families into society and their reunification, preservation and protection, including by providing adequate shelter, access to basic services and a sustainable livelihood;

(*g*) Working towards reducing poverty by, inter alia, granting assistance to families in difficult life situations and increasing the earning power of all adult members of economically deprived families;

(*h*) Providing and promoting the means to facilitate compatibility between labour force participation and parental responsibilities, especially for single-parent households with young children, and paying special attention to the needs of widows and orphans through means including health insurance and social security, cash and in-kind transfer programmes, day-care centres and facilities for breastfeeding mothers within the work premises, kindergartens, part-time jobs, paid parental leave, paid maternity leave, flexible work schedules and reproductive and child health-care services;

(*i*) Strengthening or, if necessary, establishing relevant national agencies or governmental bodies responsible for the implementation and monitoring of family policies;

21. *Calls upon* States and encourages non-governmental organizations and community organizations concerned to develop innovative ways to provide more effective assistance to families and the individuals within them who may be affected by specific problems, such as extreme poverty, chronic unemployment, illness, domestic and sexual violence, dowry payments, drug or alcohol dependence, incest, child abuse, neglect or abandonment;

22. *Recognizes* the important role of civil society, including research institutes and academia, in advocacy, promotion, research and policymaking and, as appropriate, evaluation of family policy development and capacity-building;

23. *Also recognizes* that the family plays a key role in social development, and as such should be strengthened and attention paid to the rights, capabilities and responsibilities of its members, and invites States, the organizations of the United Nations system and all other relevant stakeholders to take into account the role of the family as a contributor to sustainable development, and the need to strengthen family policy development in their ongoing efforts to achieve the internationally agreed development goals;

24. *Encourages* States to give due consideration to the role and status of the family in the context of the ongoing negotiations on the post-2015 development agenda, and invites States to consider mainstreaming the promotion of family-oriented policies as a cross-cutting issue in the proposed goals and targets of the post-2015 agenda;

25. *Invites* States to consider mainstreaming the promotion of family-oriented policies as a cross-cutting issue in national development plans and programmes;

26. *Highlights* the need for continued inter-agency and regional cooperation on family issues in order to generate greater awareness of this subject among the governing bodies of the United Nations system;

27. *Encourages* States to support the United Nations Trust Fund on Family Activities;

28. *Invites* the United Nations High Commissioner for Human Rights, the treaty bodies, relevant special procedure mandate holders and other relevant international and regional human rights mechanisms, within their respective mandates and competence, to pay due attention in their work to the implementation by States of their obligations under relevant provisions of international human rights law to provide protection and support to the family as the natural and fundamental group unit of society;

29. *Requests* the High Commissioner to prepare a report on the impact of the implementation by States of their obligations under relevant provisions of international human rights law with regard to the protection of the family, and on the contribution of families in realizing the right to an adequate standard of living for their members, particularly through their role in poverty eradication and in achieving sustainable development, while giving due consideration to the status of the family in the developments related to the ongoing work on the future sustainable development goals and the post-2015 development agenda, and to present it to the Human Rights Council at its thirty-first session;

30. *Decides* to remain seized of the matter.

45th meeting
3 July 2015

[Adopted by a recorded vote of 29 to 14, with 4 abstentions. The voting was as follows:

In favour:
Algeria, Bangladesh, Bolivia (Plurinational State of), Botswana, China, Congo, Côte d'Ivoire, Cuba, El Salvador, Ethiopia, Gabon, Ghana, India, Indonesia, Kazakhstan, Kenya, Maldives, Morocco, Namibia, Nigeria, Pakistan, Paraguay, Qatar, Russian Federation, Saudi Arabia, Sierra Leone, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:
Albania, Estonia, France, Germany, Ireland, Japan, Latvia, Montenegro, Netherlands, Portugal, Republic of Korea, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:
Argentina, Brazil, Mexico, the former Yugoslav Republic of Macedonia]

29/23. Cooperation and assistance to Ukraine in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and relevant international human rights treaties,

Confirming the primary responsibility of States to promote and protect human rights,

Recalling Human Rights Council resolution 26/30 of 27 June 2014 on cooperation and assistance to Ukraine in the field of human rights,

Acknowledging the efforts of the United Nations, the Organization for Security and Cooperation in Europe and other international and regional organizations to assist Ukraine in protecting the rights of all persons in Ukraine, as described by the General Assembly in its resolution 68/262 of 27 March 2014, and the progress achieved, as well as the challenges and obstacles remaining in this regard,

Welcoming the technical assistance to Ukraine in the field of human rights provided by the Office of the United Nations High Commissioner for Human Rights, and acknowledging the further need for such assistance with due regard to the commitment of the Government of Ukraine to promote and protect human rights on all its territory,

Welcoming also the cooperation of the Government of Ukraine with the Office of the High Commissioner, including its monitoring mission in Ukraine, and with other relevant international and regional human rights mechanisms,

Recognizing the importance of the periodic reports of the Office of the High Commissioner based on the findings of the monitoring mission for the proper assessment of the situation of human rights in Ukraine and an evaluation of the needs for technical assistance to Ukraine in the field of human rights, *Recognizing also* the need for ongoing reporting, including on the most serious human rights problems within Ukraine and their root causes,

Invites the United Nations High Commissioner for Human Rights to present orally to the States Members of the Human Rights Council and observers the findings of each of the periodic reports of the Office of the High Commissioner on the situation of human rights in Ukraine, as part of the interactive dialogues, and through the modalities of the Council, in accordance with its resolution 5/1 of 18 June 2007, until the thirty-second session of the Council.

45th meeting
3 July 2015

[Adopted by a recorded vote of 21 to 6, with 20 abstentions. The voting was as follows:

In favour:

Albania, Botswana, Côte d'Ivoire, Estonia, France, Germany, Ghana, Ireland, Japan, Kenya, Latvia, Maldives, Mexico, Montenegro, Netherlands, Portugal, Republic of Korea, Sierra Leone, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Bolivia (Plurinational State of), China, Cuba, Russian Federation, Saudi Arabia, Venezuela (Bolivarian Republic of)

Abstaining:

Algeria, Argentina, Bangladesh, Brazil, Congo, El Salvador, Ethiopia, Gabon, India, Indonesia, Kazakhstan, Morocco, Namibia, Nigeria, Pakistan, Paraguay, Qatar, South Africa, United Arab Emirates, Viet Nam]

29/24. Capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and relevant human rights treaties,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also Human Rights Council resolutions 5/1 on institution-building of the Council and 5/2 on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling further Council resolutions S-14/1 of 23 December 2010 and 16/25 of 25 March 2011, on the situation of human rights in Côte d'Ivoire, and 17/21 of 17 June 2011, establishing the mandate of the Independent Expert on the situation of human rights in Côte d'Ivoire, and resolutions 20/19 of 6 July 2012 and 23/22 of 14 June 2013 renewing the mandate of the Independent Expert, as well as resolution 26/32 of 27 June 2014 establishing the mandate for capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights,

Reaffirming that all States have a responsibility to promote and protect human rights and fundamental freedoms, as stated in the Charter, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant human rights instruments, *Welcoming* the establishment of a compensation fund for victims of the post-election crisis with an initial capital of 10 billion CFA francs, or approximately US$ 18 million, and the establishment of the National Commission for Reconciliation and Compensation for Victims,

Noting that the situation of human rights in Côte d'Ivoire has improved significantly and that it should nevertheless be monitored, given the numerous challenges, notably the restoration of peace, national reconciliation and combating impunity,

Concerned at the continuing sporadic armed attacks on the Forces républicaines de Côte d'Ivoire in the exercise of their mandate to protect civilians,

1. *Condemns* the continuing sporadic attacks by unidentified armed individuals in Côte d'Ivoire, which are liable to thwart the joint efforts of the Ivorian people and the international community to bring security and peace to the country;

2. *Welcomes* the general stability in the security situation in Côte d'Ivoire, as indicated in the most recent report of the Secretary-General on Côte d'Ivoire,[104] as well as the work of the Special Investigation Unit, the National Security Council and the National Programme for Social Cohesion, particularly with regard to their roles in early warnings, prevention of human rights violations and reconciliation;

3. *Also welcomes* the exemplary and continuing cooperation of the Government of Côte d'Ivoire with the United Nations human rights machinery and its commitment to promoting and protecting human rights, and encourages the continuation of efforts to end all human rights violations in the country, to prosecute the perpetrators of such acts and to help victims;

4. *Further welcomes* the progress achieved by the Government of Côte d'Ivoire in promoting respect for and the protection of human rights, notably its constructive dialogue with the members of the Human Rights Council during the universal periodic review in April 2014 and the presentation of its initial report to the Human Rights Committee[105] in March 2015;

5. *Notes with appreciation* the efforts made by the Government of Côte d'Ivoire to align its domestic legal framework with the Rome Statute of the International Criminal Court, particularly its positive initiative towards abolishing the death penalty, and the introduction into its domestic legal framework of international crimes such as genocide, crimes against humanity and war crimes, superior responsibility for war crimes and the non-applicability of any statute of limitations to such international crimes;

6. *Welcomes* the efforts made by Côte d'Ivoire to enhance capacity in the judicial system, notably through the renovation of courts, legislative reforms to the Criminal Code, the Code of Criminal Procedure, the Civil Code and the Code of Civil Procedure and the reopening of the assize courts, and calls upon the Government of Côte d'Ivoire to strengthen human resource capacity, to ensure that legal proceedings conform to international standards for a fair trial and to prosecute all the alleged perpetrators of human rights violations, particularly those committed during the post-election crisis;

7. *Also welcomes* in that regard the renewal of the Special Investigation Unit, encourages the acceleration of the national processes of investigation and prosecution of the alleged perpetrators of the violence committed during the 2010-2011 post-

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[104] S/2015/320.

[105] CCPR/C/CIV/1.

election period and calls for the full implementation of the mandate of the National Commission for Reconciliation and Compensation for Victims;

8. *Further welcomes* the continuing work in the political framework for ongoing dialogue aimed at facilitating inclusive political pluralism and notes the continued cooperation with the International Criminal Court and the adoption of new legislation, which constitute important progress in strengthening the legislative framework and in promoting and protecting human rights;

9. *Notes* the continuation of the trial of some members of the Forces républicaines de Côte d'Ivoire and the acceleration of the process of investigation and prosecution of the alleged perpetrators of the violence committed during the 2010-2011 post-election period;

10. *Welcomes* the results achieved by the Authority on Disarmament, Demobilization and Reintegration, which represent remarkable progress that has made it possible to consolidate security in the country;

11. *Also welcomes* the reform of the Independent Electoral Commission, which was established after a broad process of consultation with all stakeholders, and the continuation of the electoral process towards fair, free, transparent, inclusive and calm elections;

12. *Takes note* of the oral update provided by the Independent Expert at the twenty-eighth session and his first report presented at the twenty-ninth session,[106] as well as his recommendations;

13. *Applauds* the commitments made by the Government of Côte d'Ivoire during the various sessions of the Human Rights Council to endorse the Independent Expert's recommendations and its fruitful cooperation with the Independent Expert in the framework of his mandate;

14. *Also applauds* the efforts of the Government of Côte d'Ivoire in ratifying international and regional human rights instruments, particularly the adoption of the Act of 20 June 2014 on promoting and protecting human rights defenders and the adoption in July 2014 of the Act governing prevention, protection and punishment in the fight against HIV/AIDS, and encourages it to continue in that direction and to proceed in its efforts to bring its national legislation into conformity with the international and regional instruments it has ratified, ensuring the effective application of those instruments;

15. *Notes with satisfaction* the continued improvement in the humanitarian situation on the ground and calls upon United Nations agencies and other relevant actors to continue, at the request of the country, to provide assistance to refugees and internally displaced persons, in conformity with the measures put in place by the Government, so as to encourage their safe and voluntary return to their homes;

16. *Notes* the importance set by the Ivorian authorities on combating the sexual violence suffered by women and children, notably with the adoption of a national strategy to curb the phenomenon and the efforts made to protect children, and calls upon the Government to do everything possible to carry out investigations into the recurring allegations of violence against women and children;

17. *Requests* the international community to continue to support the reconstruction and reconciliation process under way in Côte d'Ivoire and to provide the assistance requested in the specific areas in which such assistance is necessary, including in strengthening the capacity of the mechanisms for combating violence against women and children;

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[106] A/HRC/29/49.

18. *Requests* the Office of the United Nations High Commissioner for Human Rights to continue to provide the technical assistance requested by the Government to help Côte d'Ivoire to meet its human rights obligations;

19. *Calls upon* the international community to support the national efforts made by Côte d'Ivoire and its institutions to strengthen the rule of law in the country, and to respond to its requests for technical assistance in the humanitarian, educational, health, economic and social spheres;

20. *Also calls upon* the international community to continue to support the national human rights commission, through technical assistance and capacity-building programmes, with a view to enabling it to contribute effectively to the promotion and protection of the fundamental rights of the Ivorian people, in accordance with the Paris Principles;

21. *Decides* therefore to extend the mandate on capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights for a period of one year, from the twenty-ninth to the thirty-second sessions of the Human Rights Council;

22. *Requests* the Independent Expert to submit a report to the Human Rights Council at its thirty-first session and his final recommendations at its thirty-second session;

23. *Decides* to remain seized of this matter.

46th meeting
3 July 2015

[Adopted without a vote.]

29/25. Ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem

For the text of the resolution, see chapter II.

B. Decisions

29/101. Outcome of the universal periodic review: Kyrgyzstan

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Kyrgyzstan on 19 January 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1, *Decides* to adopt the outcome of the review of Kyrgyzstan, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/29/4), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/29/4/Add.1 and A/HRC/29/2, chap. VI).

26th meeting
24 June 2015

[Adopted without a vote.]

29/102. Outcome of the universal periodic review: Guinea

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Guinea on 20 January 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Guinea, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/29/6), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/29/6/Add.1 and A/HRC/29/2, chap. VI).

26th meeting
24 June 2015

[Adopted without a vote.]

29/103. Outcome of the universal periodic review: Lao People's Democratic Republic

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Lao People's Democratic Republic on 20 January 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Lao People's Democratic Republic, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/29/7), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/29/7/Add.1 and A/HRC/29/2, chap. VI).

27th meeting
25 June 2015

[Adopted without a vote.]

29/104. Outcome of the universal periodic review: Spain

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Spain on 21 January 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Spain, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/29/8), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/29/8/Add.1 and A/HRC/29/2, chap. VI).

27th meeting
25 June 2015

[Adopted without a vote.]

29/105. Outcome of the universal periodic review: Lesotho

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Lesotho on 21 January 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Lesotho, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/29/9), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/29/9/Add.1 and A/HRC/29/2, chap. VI).

27th meeting
25 June 2015

[Adopted without a vote.]

29/106. Outcome of the universal periodic review: Kenya

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Kenya on 22 January 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Kenya, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/29/10), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/29/2, chap. VI).

29th meeting
25 June 2015

[Adopted without a vote.]

29/107. Outcome of the universal periodic review: Armenia

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Armenia on 22 January 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Armenia, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/29/11), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/29/11/Add.1 and A/HRC/29/2, chap. VI).

29th meeting
25 June 2015

[Adopted without a vote.]

29/108. Outcome of the universal periodic review: Guinea-Bissau

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process, *Having conducted* the review of Guinea-Bissau on 23 January 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Guinea-Bissau, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/29/12), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/29/12/Add.1 and A/HRC/29/2, chap. VI).

29th meeting
25 June 2015

[Adopted without a vote.]

29/109. Outcome of the universal periodic review: Sweden

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Sweden on 26 January 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Sweden, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/29/13), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/29/13/Add.1 and A/HRC/29/2, chap. VI).

30th meeting
26 June 2015

[Adopted without a vote.]

29/110. Outcome of the universal periodic review: Grenada

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Grenada on 26 January 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Grenada, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/29/14), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/29/14/Add.1 and A/HRC/29/2, chap. VI).

30th meeting
26 June 2015

[Adopted without a vote.]

29/111. Outcome of the universal periodic review: Turkey

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Turkey on 27 January 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Turkey, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/29/15), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/29/15/Add.1 and A/HRC/29/2, chap. VI).

30th meeting
26 June 2015

[Adopted without a vote.]

29/112. Outcome of the universal periodic review: Kuwait

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Kuwait on 28 January 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Kuwait, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/29/17), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/29/17/Add.1 and A/HRC/29/2, chap. VI).

31st meeting
26 June 2015

[Adopted without a vote.]

29/113. Outcome of the universal periodic review: Kiribati

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Kiribati on 19 January 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Kiribati, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/29/5), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/29/5/Add.1 and A/HRC/29/2, chap. VI).

41st meeting
1 July 2015

[Adopted without a vote.]

29/114. Outcome of the universal periodic review: Guyana

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006, and with Human Rights Council resolutions 5/1 of 18 June 2007 and 16/21 of 21 March 2011, and President's statement PRST/8/1 of 9 April 2008, on the modalities and practices for the universal periodic review process,

Having conducted the review of Guyana on 28 January 2015 in conformity with all relevant provisions contained in the annex to Council resolution 5/1,

Decides to adopt the outcome of the review of Guyana, comprising the report thereon of the Working Group on the Universal Periodic Review (A/HRC/29/16), the views of the State concerning the recommendations and/or conclusions made, and its voluntary commitments and replies presented before the adoption of the outcome by the plenary to questions or issues not sufficiently addressed during the interactive dialogue held in the Working Group (A/HRC/29/16/Add.1 and A/HRC/29/2, chap. VI).

42nd meeting
2 July 2015

[Adopted without a vote.]

C. President's statement

PRST 29/1. Enhancing the efficiency of the Human Rights Council

At the 45th meeting, held on 3 July 2015, the President of the Human Rights Council made the following statement:

"The Human Rights Council,

Reaffirming General Assembly resolutions 60/251 of 15 March 2006 and 65/281 of 17 June 2011, and Human Rights Council resolutions 5/1 of 18 June 2007, on the institution-building package, and 16/21 of 25 March 2011, on the review of the work and functioning of the Council,

Acknowledging that the Human Rights Council should continue to be efficient and effective in fulfilling its mandate, as outlined by the General Assembly in its resolution 60/251,

1. *Decides* to improve further the voluntary yearly calendar for thematic resolutions of the Human Rights Council, in accordance with Council resolution 16/21, in consultation with the main sponsors, and encourages States to consider voluntarily the biennialization and triennialization of their initiatives;

2. *Also decides* that the Bureau shall, in consultation with Member States, while keeping the Consultative Group and special procedure mandate holders duly informed, make recommendations and identify modalities to adjust the terms of mandate holders on an exceptional one-time basis, in order to better spread the appointment process over time, namely, across Council cycles, and present those recommendations to the Council at its thirtieth session for its consideration and appropriate decision;

3. *Further decides* that candidates shortlisted by the Consultative Group may request to be interviewed in any official language of the United Nations;

4. *Requests* the Office of the United Nations High Commissioner for Human Rights to develop, manage and support, as soon as possible and no later than the thirty-first session, a more distinguishable, accessible and user-friendly webpage, in all official languages of the United Nations from within existing resources, for the Human Rights Council, its mechanisms and procedures, including a user-friendly extranet;

5. *Stresses* the need to respect and implement the provisions of Council resolutions 5/1 and 16/21 relating to the working culture of the Human Rights Council, including the need for early notification of proposals, early submission of draft resolutions and decisions by the end of the penultimate week of regular sessions, and early distribution of all reports, and to observe the principles of transparency and inclusiveness with regard to the consultation process."

Index of topics considered by the Human Rights Council in its resolutions, decisions and the President's statements

Contents

		Page
Advisory Committee		
Elimination of discrimination against persons affected by leprosy and their family members	res. 29/5	163
Enhancement of international cooperation in the field of human rights	res. 28/2	30
Independent Expert on the enjoyment of human rights by persons with albinism	res. 28/6	45
The effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights	res. 28/8	49
The negative impact of corruption on the enjoyment of human rights	res. 29/11	182
The right to food	res. 28/10	56
Unaccompanied migrant children and adolescents and human rights	res. 29/12	184
Albinism		
Independent Expert on the enjoyment of human rights by persons with albinism	res. 28/6	45
Angola		
Outcome of the universal periodic review: Angola	dec. 28/107	140
Anniversary of the end of the Second World War		
Seventieth anniversary of the end of the Second World War	PRST 28/2	145
Armenia		
Outcome of the universal periodic review: Armenia	dec. 29/107	225
Belarus		
Situation of human rights in Belarus	res. 29/17	201
Birth registration		
Birth registration and the right of everyone to recognition everywhere as a person before the law	res. 28/13	70
Bolivia (Plurinational State of)		
Outcome of the universal periodic review: Plurinational State of Bolivia	dec. 28/103	138
Bosnia and Herzegovina		
Outcome of the universal periodic review: Bosnia and Herzegovina	dec. 28/113	143
Child, early and forced marriage		
Strengthening efforts to prevent and eliminate child, early and forced marriage	res. 29/8	172

Children

Rights of the child: towards better investment in the rights of the child ... res. 28/19 87

Strengthening efforts to prevent and eliminate child, early and forced marriage ... res. 29/8 172

Unaccompanied migrant children and adolescents and human rights ... res. 29/12 184

Climate change

Human rights and climate change ... res. 29/15 196

Corruption

The negative impact of corruption on the enjoyment of human rights ... res. 29/11 182

Côte d'Ivoire

Capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights ... res. 29/24 219

Democracy

Human rights, democracy and the rule of law ... res. 28/14 72

The incompatibility between democracy and racism ... res. 29/20 209

Democratic People's Republic of Korea

Situation of human rights in the Democratic People's Republic of Korea ... res. 28/22 98

Disabilities

The right of persons with disabilities to live independently and be included in the community on an equal basis with others ... res. 28/4 35

Discrimination

Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief ... res. 28/29 124

Elimination of discrimination against persons affected by leprosy and their family members ... res. 29/5 163

Elimination of discrimination against women ... res. 29/4 159

Domestic violence

Accelerating efforts to eliminate all forms of violence against women: eliminating domestic violence ... res. 29/14 190

Economic, social and cultural rights

Mandate of the Special Rapporteur in the field of cultural rights ... res. 28/9 54

Question of the realization in all countries of economic, social and cultural rights ... res. 28/12 67

The effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights ... res. 28/8 48

Education

The right to education ... res. 29/7 168

Egypt

Outcome of the universal periodic review: Egypt ... dec. 28/112 143

El Salvador

Outcome of the universal periodic review: El Salvador .... dec. 28/102 138

Environment

Human rights and the environment .... res. 28/11 64

Eritrea

Situation of human rights in Eritrea .... res. 29/18 203

Family

Protection of the family: contribution of the family to the realization of the right to an adequate standard of living for its members, particularly through its role in poverty eradication and achieving sustainable development .... res. 29/22 213

Fiji

Outcome of the universal periodic review: Fiji .... dec. 28/104 139

Firearms

Human rights and the regulation of civilian acquisition, possession and use of firearms .... res. 29/10 180

Foreign debt

The effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights .... res. 28/8 49

Funds of illicit origin

The negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights, and the importance of improving international cooperation .... res. 28/5 38

Gambia

Outcome of the universal periodic review: Gambia .... dec. 28/114 143

Genocide

Prevention of genocide .... res. 28/34 20

Grenada

Outcome of the universal periodic review: Grenada .... dec. 29/110 226

Guinea

Outcome of the universal periodic review: Guinea .... dec. 29/102 223

Strengthening of technical cooperation and consultative services in Guinea res. 28/33 135

Guinea-Bissau

Outcome of the universal periodic review: Guinea-Bissau .... dec. 29/108 225

Guyana

Outcome of the universal periodic review: Guyana .... dec. 29/114 228

Haiti

Situation of human rights in Haiti .... PRST 28/3 145

Human rights bodies and mechanisms		
Renewal of the mandate of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies	res. 28/7	48
Human Rights Council		
Contribution of the Human Rights Council to the special session of the General Assembly on the world drug problem of 2016	res. 28/28	17
Enhancing the efficiency of the Human Rights Council	PRST 29/1	228
Human rights situation in Palestine and other occupied Arab territories		
Ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem	res. 29/25	26
Human rights in the occupied Syrian Golan	res. 28/24	107
Human rights situation in the Occupied Palestinian Territory, including East Jerusalem	res. 28/27	117
Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan	res. 28/26	111
Right of the Palestinian people to self-determination	res. 28/25	109
Independence of the judiciary and lawyers		
Independence and impartiality of the judiciary, jurors and assessors, and the independence of lawyers	res. 29/6	164
International cooperation		
Enhancement of international cooperation in the field of human rights	res. 28/2	30
The negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights, and the importance of improving international cooperation	res. 28/5	38
International Covenants on Human Rights		
Fiftieth anniversary of the adoption and fortieth anniversary of the entry into force of the International Covenants on Human Rights	res. 29/1	25
International solidarity		
Human rights and international solidarity	res. 29/3	156
Iran (Islamic Republic of)		
Outcome of the universal periodic review: Islamic Republic of Iran	dec. 28/108	141
Situation of human rights in the Islamic Republic of Iran	res. 28/21	97
Iraq		
Outcome of the universal periodic review: Iraq	dec. 28/109	141
Technical assistance and capacity-building in strengthening human rights in Iraq in the light of the abuses committed by Daesh and associated terrorist groups	res. 28/32	134

Israel

Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan .... res. 28/26 111

Italy

Outcome of the universal periodic review: Italy .... dec. 28/101 138

Kazakhstan

Outcome of the universal periodic review: Kazakhstan .... dec. 28/106 140

Kenya

Outcome of the universal periodic review: Kenya .... dec. 29/106 225

Kiribati

Outcome of the universal periodic review: Kiribati .... dec. 29/113 228

Kuwait

Outcome of the universal periodic review: Kuwait .... dec. 29/112 227

Kyrgyzstan

Outcome of the universal periodic review: Kyrgyzstan .... dec. 29/101 222

Lao People's Democratic Republic

Outcome of the universal periodic review: Lao People's Democratic Republic .... dec. 29/103 223

Leprosy

Elimination of discrimination against persons affected by leprosy and their family members .... res. 29/5 163

Lesotho

Outcome of the universal periodic review: Lesotho .... dec. 29/105 224

Libya

Technical assistance and capacity-building to improve human rights in Libya .... res. 28/30 128

Madagascar

Outcome of the universal periodic review: Madagascar .... dec. 28/110 226

Mali

Technical assistance and capacity-building for Mali in the field of human rights .... res. 28/31 132

Migrants

Protection of the human rights of migrants: migrants in transit .... res. 29/2 152

Unaccompanied migrant children and adolescents and human rights .... res. 29/12 184

Minorities

Situation of human rights of Rohingya Muslims and other minorities in Myanmar .... res. 29/21 211

Myanmar

Situation of human rights in Myanmar .... res. 28/23 103

Situation of human rights of Rohingya Muslims and other minorities in Myanmar .... res. 29/21 211

Office of the United Nations High Commissioner for Human Rights

Composition of staff of the Office of the United Nations High Commissioner for Human Rights .... res. 28/1 11

Mission by the Office of the United Nations High Commissioner for Human Rights to improve human rights, accountability, reconciliation and capacity in South Sudan .... res. 29/13 186

Palestine (see Human rights situation in Palestine and other occupied Arab territories)

Private military and security companies

Renewal of the mandate of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies .... res. 28/7 48

Racism

The incompatibility between democracy and racism .... res. 29/20 209

Religion

Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief .... res. 28/29 124

Freedom of religion or belief .... res. 28/18 83

Situation of human rights of Rohingya Muslims and other minorities in Myanmar .... res. 29/21 211

Remotely piloted aircraft or armed drones

Ensuring use of remotely piloted aircraft or armed drones in counter-terrorism and military operations in accordance with international law, including international human rights and humanitarian law .... res. 28/3 34

Right to an adequate standard of living

Protection of the family: contribution of the family to the realization of the right to an adequate standard of living for its members, particularly through its role in poverty eradication and achieving sustainable development .... res. 29/22 213

Right to food

The right to food .... res. 28/10 56

Right to privacy

The right to privacy in the digital age .... res. 28/16 77

Right to work

The right to work .... res. 28/15 74

Rule of law

Human rights, democracy and the rule of law res. 28/14 72

San Marino

Outcome of the universal periodic review: San Marino dec. 28/105 139

Slovenia

Outcome of the universal periodic review: Slovenia dec. 28/111 142

Social Forum

The Social Forum res. 29/19 207

South Sudan

Mission by the Office of the United Nations High Commissioner for Human Rights to improve human rights, accountability, reconciliation and capacity in South Sudan res. 29/13 186

Spain

Outcome of the universal periodic review: Spain dec. 29/104 224

Sweden

Outcome of the universal periodic review: Sweden dec. 29/109 226

Syrian Arab Republic

The continuing grave deterioration in the human rights and humanitarian situation in the Syrian Arab Republic res. 28/20 13

The grave and deteriorating human rights and humanitarian situation in the Syrian Arab Republic res. 29/16 198

Syrian Golan

Human rights in the occupied Syrian Golan res. 28/24 107

Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan res. 28/26 111

Technical assistance or cooperation

Capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights res. 29/24 219

Cooperation and assistance to Ukraine in the field of human rights res. 29/23 218

Strengthening of technical cooperation and consultative services in Guinea res. 28/33 135

Technical assistance and capacity-building for Mali in the field of human rights res. 28/31 132

Technical assistance and capacity-building in strengthening human rights in Iraq in the light of the abuses committed by Daesh and associated terrorist groups res. 28/32 134

Technical assistance and capacity-building to improve human rights in Libya res. 28/30 128

Terrorism

Atrocities committed by the terrorist group Boko Haram and its effects on human rights in the affected States res. S-23/1 149

Effects of terrorism on the enjoyment of human rights res. 28/17 80

Ensuring use of remotely piloted aircraft or armed drones in counter-terrorism and military operations in accordance with international law, including international human rights and humanitarian law	res. 28/3	34
Protection of human rights and fundamental freedoms while countering terrorism	res. 29/9	177
Technical assistance and capacity-building in strengthening human rights in Iraq in the light of the abuses committed by Daesh and associated terrorist groups	res. 28/32	134
Turkey		
Outcome of the universal periodic review: Turkey	dec. 29/111	227
Ukraine		
Cooperation and assistance to Ukraine in the field of human rights	res. 29/23	218
Universal periodic review		
Outcome of the universal periodic review: Angola	dec. 28/107	140
Outcome of the universal periodic review: Armenia	dec. 29/107	225
Outcome of the universal periodic review: Bosnia and Herzegovina	dec. 28/113	143
Outcome of the universal periodic review: Egypt	dec. 28/112	143
Outcome of the universal periodic review: El Salvador	dec. 28/102	138
Outcome of the universal periodic review: Fiji	dec. 28/104	139
Outcome of the universal periodic review: Gambia	dec. 28/114	143
Outcome of the universal periodic review: Grenada	dec. 29/110	226
Outcome of the universal periodic review: Guinea	dec. 29/102	223
Outcome of the universal periodic review: Guinea-Bissau	dec. 29/108	225
Outcome of the universal periodic review: Guyana	dec. 29/114	228
Outcome of the universal periodic review: Iraq	dec. 28/109	141
Outcome of the universal periodic review: Islamic Republic of Iran	dec. 28/108	141
Outcome of the universal periodic review: Italy	dec. 28/101	138
Outcome of the universal periodic review: Kazakhstan	dec. 28/106	140
Outcome of the universal periodic review: Kenya	dec. 29/106	225
Outcome of the universal periodic review: Kiribati	dec. 29/113	228
Outcome of the universal periodic review: Kuwait	dec. 29/112	227
Outcome of the universal periodic review: Kyrgyzstan	dec. 29/101	222
Outcome of the universal periodic review: Lao People's Democratic Republic	dec. 29/103	223
Outcome of the universal periodic review: Lesotho	dec. 29/105	224
Outcome of the universal periodic review: Madagascar	dec. 28/110	142
Outcome of the universal periodic review: Plurinational State of Bolivia	dec. 28/103	138
Outcome of the universal periodic review: San Marino	dec. 28/105	139
Outcome of the universal periodic review: Slovenia	dec. 28/111	142
Outcome of the universal periodic review: Spain	dec. 29/104	224

Outcome of the universal periodic review: Sweden .... dec. 29/109 226
Outcome of the universal periodic review: Turkey .... dec. 29/111 227

Violence against women

Accelerating efforts to eliminate all forms of violence against women: eliminating domestic violence .... res. 29/14 190

Women and women's rights

Accelerating efforts to eliminate all forms of violence against women: eliminating domestic violence .... res. 29/14 190
Elimination of discrimination against women .... res. 29/4 159
Twentieth anniversary of the Fourth World Conference on Women and of the adoption of the Beijing Declaration and Platform for Action .... PRST 28/1 144

World drug problem

Contribution of the Human Rights Council to the special session of the General Assembly on the world drug problem of 2016 .... res. 28/28 17

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